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Transportation Improvement Board

Overview and Meeting Schedule

The Legislature created the Transportation Improvement Board to foster state investment in quality local transportation projects. The TIB distributes grant funding, which comes from the revenue generated by three cents of the statewide twenty-three cent gas tax, to cities and counties for funding transportation projects.

The primary purpose of the TIB is to select and administer transportation projects that best address the criteria established by the Board. Each funding program has its own set of criteria used to rate project applications. The project selection process for all funding programs is completed annually.

Mission of the TIB

The TIB funds high priority transportation projects in communities throughout the state to enhance the movement of people, goods and services.

Purpose of Organization

The Transportation Improvement Board is a twenty-one member Board organized under the provisions of Chapter 167, Laws of 1988 Regular Session, and amended by the 1993 and 1995 Legislatures for the purpose of administering the following programs:

- ❖ Transportation Partnership Program (TPP)
- ❖ Arterial Improvement Program (AIP)
- ❖ City Hardship Assistance Program (CHAP)
- ❖ Small City Program (SCP)
- ❖ Pedestrian Safety & Mobility Program (PSMP)
- ❖ Route Jurisdiction Transfer (RJT)

Board Membership

The Board is composed of six city members, six county members (County Road Administration Board [CRAB] member is ex officio), two Washington State Department of Transportation (WSDOT) officials, two transit representatives, a private sector representative, a member representing the ports, a Governor appointee, a member representing non-motorized transportation, and a member representing special needs transportation.

All Board members are appointed by the Secretary of Transportation to four-year staggered terms with the exception of the ex officio CRAB representative.

Board Meeting Time and Location

Regular meetings of the TIB are held bi-monthly, generally on the fourth Friday at predetermined locations throughout the state.

Transportation Improvement Board

History, Board Composition, Selection, & Membership

(Formerly the Urban Arterial Board)

HISTORY

- ◆ Urban Arterial Board (UAB) established as a 13-member board by the legislature in 1967. Six city members, six county members and the chairperson from WSDOT.
- ◆ UAB changed to Transportation Improvement Board in 1988. Six city members, six county members, and three Washington State Department of Transportation (WSDOT) members.
- ◆ Established the Transportation Improvement Account (TIA).
- ◆ Legislature expanded board to 17 in 1991 with addition of a member representing the private sector and one representing transit.
- ◆ Legislature expanded board to 18 in 1993 with the addition of a representative from the governor's office, a representative from the public and the deletion of one WSDOT representative.
- ◆ Legislature expanded board to 21 in 1995 with addition of one more transit representative, a non-motorized representative, a specialized transportation representative and a port representative. The public sector representative was eliminated.
- ◆ 1999 Legislature passed SB 5615, which consolidated a number of TIB funds and simplified administration of these accounts.

BOARD MEMBERSHIP (21 Members)

City Members (6)

- ◆ 1 city engineer or public works director of a city with a population of 20,000 or more
- ◆ 1 city engineer or public works director of city of less than 20,000 population
- ◆ 1 city planning director or planning manager
- ◆ 1 elected official of a city with a population of 20,000 or more
- ◆ 1 elected official of a city that serves on a transit board
- ◆ 1 elected official of a city of less than 20,000 population

County Members (6)

- ◆ 1 county engineer or public works director
- ◆ 1 county planning director or planning manager
- ◆ 1 county commissioner or Councilmember from county with a population 125,000 or more
- ◆ 1 county commissioner or Councilmember that serves on a transit board
- ◆ 1 county commissioner, county executive, or Councilmember from a county with a population of less than 125,000
- ◆ 1 Executive Director from the County Road Administration Board (CRAB)

Private Sector Member (1)

- ◆ The private sector representative shall be a citizen with business, management and transportation related experience and shall be active in a business community-based transportation organization.

Transit Member (2)

- ◆ A general manager, executive director, or transit director of a public transit system in an urban area with a population over 200,000
- ◆ A representative from a rural or small urban transit system in an area with a population less than 200,000

Governor Appointee (1)

- ◆ The Governor appointee shall be a state employee with responsibility for transportation policy, planning, or funding.

County Road Administration Board (1)

- ◆ The Executive Director of CRAB shall serve as ex-officio.

Port Member (1)

- ◆ The Port member shall be a commissioner or senior staff person of a public port.

Non-motorized Member (1)

- ◆ Shall be a citizen with a demonstrated interest and involvement with a non-motorized transportation group.

Specialized Needs Transportation Member (1)

- ◆ Shall be a citizen with a demonstrated interest and involvement with a statewide-specialized needs transportation group.

Washington State Department of Transportation (2)

- ◆ Two representatives from the Department of Transportation

BOARD SELECTION**Appointments**

- ◆ County, city, WSDOT, transit, port, non-motorized transportation, special needs transportation, private sector, and public representatives shall be made by the Secretary of Transportation to four-year terms.
- ◆ Governor representative is appointed by the Governor.

Nominations

- ◆ The city and county members are nominated by the Association of Washington Cities (AWC) and the Washington State Association of Counties (WSAC), respectively. (Two names for each position.)
- ◆ The port member is nominated by the Washington Public Ports Association (WPPA). (Two names for each position.)
- ◆ The CRAB member is ex-officio.
- ◆ The public transit members are nominated by the Washington State Transit Association (WSTA). (Two names for each position.)
- ◆ The private sector member is solicited from business, community-based transportation organizations throughout the state.

- ◆ The non-motorized transportation and special needs transportation members are solicited from advertisements placed in newspapers throughout the state.

URBAN ARTERIAL BOARD/TRANSPORTATION IMPROVEMENT BOARD

Past and Present Members

The first Board was comprised of the following members:

Chair William A. Bulley, Assistant Director of Highways for State Aid

City Members

J. D. Braman, Mayor, Seattle
 John Larson, Mayor, Yakima
 Neil R. McKay, Mayor, Olympia
 Gilbert Schuster, Director of Public Works, Tacoma
 Robert McCormick, Director of Public Works, Bellevue
 Glen Yake, Director of Public Works and Utilities, Spokane

County Members

W. O. Allen, Commissioner, Spokane County
 Jean DeSpain, County Engineer, King County
 Ernest Geissler, Engineer, County Road Administration Board
 Jack Rogers, Commissioner, Kitsap County
 Harry Sprinker, Chairman, County Road Administration Board
 Pat Thomson, County Engineer, Franklin County

The following is a list of all Board Chairs with the year(s) they served as chair:

Mr. Rick E. Futrell	1967 to 1968
Mr. William A. Bulley	1968 to 1969
Mr. Carl E. Minor	1969 to 1971
Mr. Hollis R. Goff	1971 to 1976
Mr. Keith M. Eggen	1976 to 1985
Mr. William I. Hordan	1985 to 1988
Commissioner Annette McGee	1988 to 1990
Mayor M. J. Hrdlicka	1990 to 1993
Councilmember Greg Nickels	1993 to 1995
Mayor Allen E. Ogdon	1995 to 1997
William H. Flower	1997 to 1998
Mayor Tina Roberts-Martinez	1998 to 2001
Councilmember Rob McKenna	2001 to 2003
Councilmember Bill Ganley	2003 to Present

The following are the Executive Secretaries/Executive Directors that have served the Board during its existence:

Mr. Roger E. Polzin, Executive Secretary	1967 to 1976
Mr. Robert A. Plaquet, Executive Secretary	1976 to 1988
Mr. Jerry M. Fay, Executive Director	1988 to 2001
Mr. Steve Gorcester, Executive Director	2001 to Present

The following is a list of city members that have served on the Board in chronological order:

Mr. Robert McCormick, Bellevue	1967 to 1968
Mayor J. D. Braman, Seattle	1967 to 1969
Mayor Neil R. McKay, Olympia	1967 to 1969
Mayor John Larson, Yakima	1967 to 1971

Mr. Gilbert Schuster, DPW, Tacoma	1967 to 1974
Mr. Glen Yake, DPW & Utilities, Spokane	1967 to 1985
Mayor E. C. Schoeneman, Wenatchee	1969
Mayor Floyd Miller, Seattle	1969
Mayor Robert C. Anderson, Everett	1969 to 1975
Mr. John Warder, DPW, Port Angeles	1969 to 1978
Mayor Selwyn L. Young, Redmond	1969 to 1980
Mayor Avery Garrett, Renton	1972 to 1975
Mr. Pat Nevins, Auburn	1974 to 1985
Mayor Gordon N. Johnson, Tacoma	1976 to 1978
Mayor Karen Kiessling, Pullman	1977 to 1979
Mayor Mike Parker, Tacoma	1978 to 1979
Mayor Lyle Watson, Olympia	1979 to 1982
Mr. Carl Rautenberg, Mountlake Terrace	1979 to 1985
Mayor Donald Kuhns, Kennewick	1980 to 1980
Mayor Oscar Miller, North Bend	1980 to 1983
Mayor Charles Royer, Seattle	1981 to 1987
Mayor Pete Butkus, Pullman	1983 to 1986
Councilmember Darlene McHenry, Issaquah	1984 to 1989
Mr. Ron Button, Tacoma	1985
Mr. Irving Reed, Spokane	1985 to 1996
Mr. Fred Thompson, Tacoma	1985 to 1993
Mr. Jack Pittis, Port Angeles	1985 to 1998
Mayor M. J. Hrdlicka, Lynnwood	1986 to 1993
Councilmember George Benson, Seattle	1987 to 1993
Mayor Al Ogdon, Cheney	1990 to 1997
Ms. Karen Haines, Vancouver	1993 to 1999
Mayor Tina Roberts-Martinez, Lynnwood	1994 to 2001
Councilmember Jim White, Kent	1994 to 2002
Mr. Daryl Grigsby, Seattle	1996 to 2001
Councilmember Daryl Jackson, Moses Lake	1998 to 1999
Mr. John Akers, Ellensburg	1998 to Present
Mayor William Ganley, Battle Ground	2000 to Present
Mr. Paul Roberts, Everett	2000 to 2004
Councilmember Robert Higgins, Spokane	2002 to 2003
Mr. Richard McKinley, Bellingham	2002 to Present
Councilmember Mary Gates	2002 to 2003

Governor Appointee

Mr. Bill Daley, Executive Policy Division Office of Financial Management (OFM)	1994 to 1996
Mr. Tim Ceis, Executive Policy Division Office of Financial Management (OFM)	1997 to 1998
Mr. Mike Roberts, Senior Budget Analyst Office of Financial Management (OFM)	1998 to 1999
Mr. Doug Vaughn, Budget Analyst Office of Financial Management (OFM)	2000 to 2003
Mr. Theo Yu, Senior Budget Assistant to the Governor Office of Financial Management (OFM)	2003 to Present

Private Sector Member

Mr. Roger Belanich, Snohomish County Citizens for Improved Transportation (SCCIT)	1991 to 2000
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Mr. Craig Olson	2000 to 2002
Ms. Bonnie Berk	2003 to Present

Public Member

Ms. Rose Marie Raudebaugh	1993 to 1995
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Transit Members

Mr. Leslie R. White, Executive Director, C-TRAN	1991 to 1997
Mr. Dan DiGuilio, General Manager, Clallam Transit	1995 to Present
Mr. Allen Schweim, Executive Director Spokane Transit Authority (STA)	1997 to 2003
Ms. Kim Zentz, Chief Executive Officer Spokane Transit Authority (STA)	2003 to Present

Washington State Department of Transportation

Mr. Robert Schuster, Assistant Secretary Program Development	1988 to 1990
Mr. Stan Moon, Assistant Secretary, Local Programs and Program Development	1988 to 1992
Mr. James Toohey, Assistant Secretary Planning and Programming Service Center	1988 to 1995
Mr. Dennis Ingham, Assistant Secretary Program Development and TransAid	1990 to 1999
Mr. Skip Burch, Assistant Secretary Program Development	1992 to 1993
Ms. Paula Hammond, Chief of Staff	1995 to Present
Mr. Jim Slakey, Director Public Transportation & Rail Division	1999 to 2002
Ms. Kathleen Davis Highways & Local Programs	2002 to Present

County Road Administration Board

Mr. Ernest Geissler, CRAB Engineer	1967 to 1990
Mr. Vern Wager, Executive Director	1990 to 1995
Mr. Eric Berger, Executive Director	1995 to 1998
Mr. Jay Weber, Executive Director	1998 to Present

The following is a list of all County Members that have served on the Board in chronological order:

Mr. Harry Sprinker, CRAB Chairman	1967 to 1968
Mr. Pat Thomson, Franklin County	1967 to 1969
Commissioner Jack Rogers, Kitsap County	1967 to 1969
Commissioner W.O. Allen, Spokane County	1967 to 1975
Mr. Jean DeSpain, King County	1967 to 1975
Commissioner Wes Estes, Thurston County	1969 to 1970
Mr. Jack Abrams, CRAB Chairman	1969
Mr. B. Loyal Smith, Walla Walla County	1969 to 1971
Mr. Angus McDonald, CRAB Chairman	1969 to 1972
Commissioner Frank Randall, Kitsap County	1971 to 1976
Mr. Donald B. West, Chelan County	1972 to 1973
Mr. Wes B. Brown, CRAB Chairman	1972 to 1974
Mr. Al McCann, Franklin County	1973 to 1978

Mr. Thomas Forsythe, CRAB Chairman	1974 to 1976
Mr. Harold Sweet, Yakima County	1975 to 1977
Commissioner Jerry C. Kopet, Spokane County	1975 to 1981
Mr. Lee Strand, CRAB Chairman	1976
Mr. Terry Unger, CRAB Chairman	1976 to 1977
Mr. Harry Wegner, CRAB Chairman	1977 to 1979
Mr. Gerald C. Weed, Snohomish County	1977 to 1979
Commissioner Gene Lobe, Kitsap County	1977 to 1981
Mr. Lloyd Berry, Chelan County	1978 to 1981
Commissioner James Rogers, CRAB Chairman	1979 to 1980
Mr. Jerry Fay, Clark County	1979 to 1986
Commissioner Ray Christensen, CRAB Chairman	1980
Commissioner Roy Lumaco, CRAB Chairman	1980 to 1982
Mr. Nelson Graham, Cowlitz County	1981 to 1983
Commissioner Bill Frederickson, Grant County	1981 to 1984
Commissioner Chuck Klarich, CRAB Chairman	1982 to 1986
Commissioner John McBride, Spokane County	1982 to 1992
Mr. Gene Sampley, Skagit County	1983 to 1987
Commissioner Loren Moos, Lincoln County	1985 to 1987
Commissioner Annette McGee, Mason County	1986 to 1990
Mr. Fred Anderson, Pierce County	1986 to 1990
Mr. Dennis Skeate, Benton County	1987 to 1994
Mr. Brian Corcoran, Snohomish County	1988 to 1992
Mr. John Trent, Pierce County	1990 to 2000
Commissioner Joanne Schwartz, Lewis County	1990 to 1992
Councilmember Greg Nickels, King County	1992 to 1997
Commissioner Bill Pine, Grays Harbor County	1992 to 1995
Mr. Jerry Litt, Douglas County	1994 to 1996
Commissioner D. E. "Skip" Chilberg, Spokane County	1995 to 1995
Commissioner Frank H. Brock, Franklin County	1995 to 1998
Commissioner William H. Flower, Yakima County	1995 to 1998
Mr. Michael Knapp, Whatcom County	1996 to 2000
Commissioner Pam Ray, Walla Walla County	1998 to 2001
Councilmember Rob McKenna, King County	1998 to Present
Commissioner Leo Bowman, Benton County	1998 to Present
Mr. Dave Nelson, Grant County	2000 to Present
Mr. Tom Ballard, Pierce County	2000 to Present
Commissioner Mike Shelton, Island County	2002 to Present

Port Members

Mr. Michael R. Deller, Port of Everett	1995 to 1997
Mr. Mark Urdahl, Port of Chelan County	1997 to 2001
Mr. George Cress, Port of Longview	2001 to Present

Non-motorized Transportation Members

Mr. Charles "Don" Bullard	1995 to 1998
Washington Bicycle Federation	
Mr. Arnold Tomac	1998 to Present
Northwest Bicycle Federation (NOWBIKE)	

Specialized Transportation Member

Mr. Dave O'Connell	1995 to Present
Mason County Transportation Authority	

Transportation Improvement Board Terms

City Members

Term Ends

- 1 City Engineer or Public Works Director of city with population of 20,000 or more
Dick McKinley, Bellingham, appointed 2/15/02 6/30/06
- 1 City Engineer of city of less than 20,000 population
John Akers, Ellensburg, appointed 7/1/98 6/30/06
- 1 City Planning Director or Planning Manager
Vacant 6/30/04
- 1 Elected official of a city that serves on a transit board
Vacant 6/30/06
- 1 Elected official of a city with a population of 20,000 or more
Vacant 6/30/04
- 1 Elected official of a city of less than 20,000 population
William Ganley, Battle Ground, appointed 1/3/00 6/30/04

County Members

Term Ends

- 1 County Engineer or Public Works Director
Tom Ballard, Pierce County, appointed 7/25/00 6/30/04
- 1 County Planning Director or Planning Manager
Dave Nelson, Grant County, appointed 6/5/00 6/30/06
- 1 County Exec, Councilmember, or Commissioner of a county with a population of 125,000 or more
Leo Bowman, Benton County, appointed 11/30/98 6/30/04
- 1 County Executive, Councilmember, or Commissioner that serves on a transit board
Rob McKenna, King County, appointed 2/3/98 6/30/06
- 1 County Exec, Councilmember, or Commissioner of a county with a population of less than 125,000
Mike Shelton, Island County, appointed 12/21/01 6/30/06

County Road Administration Board

CRAB Executive Director

Ex-Officio

Jay Weber

Private Sector Member

Term Ends

- 1 citizen with business, management, and transportation related experience and shall be active in a business community-based transportation organization.
Bonnie Berk, President, Berk and Associates, appointed 8/25/03 6/30/04

Public Transit Members

Term Ends

- 1 general manager, executive director, or transit director of a public transit system in an urban area with a population over 200,000
Kim Zentz, Chief Executive Officer, Spokane Transit Authority, appointed 7/1/03 6/30/06
- 1 representative from a rural or small transit system in an area with a population less than 200,000
Dan DiGuilio, General Manager, Clallam Transit, appointed 7/1/95 6/30/04

Governor Appointee

1 state employee with responsibility for transportation policy, planning, or funding

Theo Yu, Senior Budget Assistant to the Governor
Office of Financial Management, appointed 10/1/03

Term Ends

6/30/06

Ports Member

1 commissioner or senior staff person of a public port

George Cress, Director, Port of Longview, appointed 6/7/01

Term Ends

6/30/06

Non-motorized Transportation Member

1 citizen with a demonstrated interest and involvement with a non-motorized transportation group

Arnold Tomac, appointed 7/1/98

Term Ends

6/30/06

Special Needs Transportation Member

1 citizen with a demonstrated interest and involvement with a statewide specialized needs transportation group.

Dave O'Connell, General Manager, Mason County Transportation Authority,
appointed 7/1/95

Term Ends

6/30/06

Washington State Department of Transportation

Chief of Staff

Paula Hammond, appointed 7/1/95

Director, Public Transportation and Rail Division

Kathleen Davis, appointed 7/1/02

Term Ends

6/30/04

6/30/06

Transportation Improvement Board Committee Members

COMMITTEES OF THE BOARD

The Board may designate and appoint one or more standing or temporary committees that may exercise the authority of the Board. The Chair may appoint committees that act only in an advisory capacity to the Board.

EXECUTIVE COMMITTEE

Purpose: 1) Leads the development of the Board's Strategic Plan. 2) Proposes, reviews, or recommends passage, modification, or other action relating to Board policies prior to submission of the proposed amendment to the full Board. 3) Prepares a recommended legislative agenda for consideration of the full Board prior to each legislative session. 4) Monitors the events of each legislative session and shall be empowered to adopt Board policy relating to legislation during the session.

Members:	Bill Ganley, Chair	John Akers
	Leo Bowman, Vice Chair	Vacant

ROUTE JURISDICTION TRANSFER COMMITTEE

Purpose: Upon receipt of a Route Jurisdiction Transfer request, the Board Chair appoints a Route Jurisdiction Transfer Committee to review specific route transfer requests. No member of the Board who is an officer, agent, employee, or member of an entity with actual or potential jurisdiction over the subject route may participate on this committee.

Members: Varies

NOTE: Committees meet on an as-needed basis.



TRANSPORTATION IMPROVEMENT BOARD

P.O. Box 40901
Olympia, WA 98504-0901
(360) 586-1140 FAX: (360) 586-1165
Steve Gorcester, Executive Director

Councilmember William Ganley, **Chair**
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Councilmember Rob McKenna
King County Council
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Mr. Dick McKinley
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City of Bellingham
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Commissioner Mike Shelton
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Mr. Arnold Tomac
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Mr. Theo Yu
Senior Transportation Asst. to the
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Ms. Kim Zentz
Chief Executive Officer
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NOTE: Currently have three city
vacancies; two for elected officials and
one for city planner.



Transportation Improvement Board Meeting Locations 1992 – 2004

Month	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
January	Olympia	Olympia	Olympia	Olympia	Olympia	Pierce Co.	Lynnwood	Renton	Lynnwood	Olympia	Everett	Olympia	Olympia
February	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	Olympia	Olympia	No Mtg.	No Mtg.	No Mtg.	No Mtg.
March	Port Angeles	Bellevue	No Mtg.	Lynnwood	Vancouver	Kent	Olympia	Olympia	Olympia	Olympia	Olympia	Bellingham	SeaTac
April	Olympia	Kelso	Vancouver	Olympia	Tacoma	Bellingham	Long Beach	Kelso	Vancouver	No Mtg.	No Mtg.	No Mtg.	No Mtg.
May	Vancouver	Clarkston	Wenatchee	Walla Walla	Wenatchee	Olympia	Chelan	Walla Walla	Bellingham	Olympia	Walla Walla	Pullman	Chelan
June	Pasco	No Mtg.	Bellingham	Bremerton	Seattle	Cheney	Vancouver	Wenatchee	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.
July	Olympia	Yakima	Olympia	Yakima	Pasco	Mt. Vernon	Yakima	Ellensburg	Spokane	Yakima	Aberdeen	Vancouver	Spokane Valley
August	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.
September	Everett	Pasco	Ellensburg	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	Wenatchee	Ellensburg	Grandview
October	Olympia	Spokane	Spokane	Spokane	Port Angeles	Moses Lake	Spokane	Spokane	Richland	Spokane	No Mtg.	No Mtg.	No Mtg.
November	Spokane	SeaTac	SeaTac	No Mtg.	No Mtg.	Redmond	Bellevue	No Mtg.	No Mtg.	No Mtg.	Spokane	Tacoma	Bremerton
December	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.	No Mtg.

Current year may be subject to change.



State of Washington
Transportation Improvement Board
Event Date
Event Location

Board Member:
Name
Mailing Address

Meeting Reimbursement

Reimbursement rate for this meeting

(Includes lodging and meals for TIB meetings at the government rate)

170.00

(per diem rate for mtg location county)

Less deduction for catered meals paid for by TIB

0.00

Reimbursable mileage at 34.5¢ per mile (_____ miles) x .345 =

Parking

Tolls/Ferry

Other (provide description)

Total Reimbursement \$

Please attach the following if applicable:

- Airfare receipt or boarding pass
- Auto rental receipts
- Any other receipts over \$50.00

I hereby certify under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payment has been received by me on account thereof.

BOARD MEMBER SIGNATURE

DATE

PREPARED BY

TELEPHONE NUMBER

DATE

AGENCY APPROVAL

DATE

DOC. DATE

CURRENT DOC. NO.

407TP

VENDOR NUMBER

VENDOR MESSAGE

REF DOC SUF	TRANS CODE	M O D	FUND	MASTER INDEX		SUB OBJ	SUB SUB OBJECT	AMOUNT	INVOICE NUMBER
				APPN INDEX	PROGRAM INDEX				
	210			0000	ADMIN	GA	0002		
	210			0000	ADMIN	GC	0002		
	210			0000	ADMIN	GD	0002		
ACCOUNTING APPROVAL FOR PAYMENT						DATE		WARRANT TOTAL	WARRANT NUMBER

Transportation Improvement Board Bylaws

ARTICLE I

PURPOSE

The Board shall be conducted in accordance with the provisions of RCW 47.26, as now or hereafter amended, and shall perform the duties and functions as therein prescribed.

ARTICLE II

OFFICERS OF THE BOARD

Section 1 **Officers of the Transportation Improvement Board**

- (a) The presiding officer of the Board, designated the "chairperson", shall be elected by a majority vote of the membership of the Board for a two-year term. The chairperson shall preside over all meetings of the Board and do all such other things that are appropriate for or delegated to such officer by the Board;
- (b) A vice chairperson, elected by a majority vote of the membership of the Board, shall preside in the absence of the chairperson, as well as act for the chairperson and the Board under its direction;
- (c) At any one time, the chairperson and the vice chairperson shall not both be county members or city members, and shall be an elected official;
- (d) In the absence of both the chairperson and vice chairperson, an acting vice chairperson, appointed by a majority of the voting members of the Board present at that meeting shall preside at that meeting of the Board;
- (e) The Board shall appoint an Executive Director who shall serve at the Board's pleasure.

ARTICLE III

MEETINGS

Section 1 **Time and Place of Meetings**

Regular public meetings of the Board shall be held beginning on the fourth Friday of every month or the third Friday if that Friday is a holiday. Each such regular meeting shall be held at the offices of the Board in Olympia, Washington, and begin at the hour of 9:00 a.m., or at such other time and place as designated by the Board. By December, the Board shall

adopt a calendar showing the time, date and location of board meetings for the following year.

A special meeting of the Board may be called by the chairperson or by a majority of the members of the Board, by delivering personally or by mail written notice to all other members of the Board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting and all provisions of Chapter 42.30 RCW shall apply.

Section 2 Notice to Members of Meetings

Notice of all regular meetings, shall be given by the Executive Director in writing to each member by posting in the U.S. mail a notice thereof addressed to the member at their business or residence address furnished to the Board. Such notice shall be posted at least ten **(10) days** prior to the meeting. Members present at any meeting shall be deemed to have waived notice as of that meeting.

Prior to any regular meeting of the Board, subject material on agenda items shall be provided by the Executive Director and mailed to Board members prior to the meeting.

Section 3 General Notice of Meeting and Agenda Items

A notice of regular public meetings of the Board shall be given by the Executive Director in writing to all persons who have made a timely request of the Board at least twenty (20) days prior to the meeting.

Section 4 Business of the Board.

All business of the Board shall be transacted by motion and/or resolution which may be made by any member in attendance, including the Chairperson, and shall require a second.

Voting on all motions and resolutions shall be by voice unless a special division is called for by a member, in which case the roll shall be called by the presiding officer and the vote of each member shall be recorded. Except as otherwise provided, Robert's Rules of Order, latest edition, shall govern the meetings of the Board.

ARTICLE IV

QUORUM

The presence of a majority of the current Board membership shall constitute a quorum for the transaction of the business of the board.

It shall require a majority of those members in attendance to carry any motion and/or resolution unless otherwise set forth in these rules.

ARTICLE V

MINUTES

All actions of the Board shall be by motion and/or resolution recorded in a book or books kept for such purpose, maintained at the office of the Board, and shall be open to the public for inspection at all reasonable times.

ARTICLE VI

CHANGE OR REPEAL OF INTERNAL RULES

Amendment, alteration, change, additions to or repeal of the rules governing internal management of the Board, not affecting regular procedures available to the public, and not in conflict with state law, may be made by resolution of the Board pursuant to other applicable sections of these rules.

ARTICLE VII

INSTRUMENTS

All instruments, including vouchers for payment from the TIB administered funds established in the Motor Vehicle Fund, shall be submitted to the Executive Director of the Board for approval and shall be signed by the Executive Director in the name of the Board; PROVIDED, vouchers for payment may be signed by the designated agent of the Executive Director if proper procedure has been followed and payment is due.

The Executive Director shall report to the Board at each regular meeting regarding all instruments, including vouchers for payment, approved during the period after the preceding regular meeting.

ARTICLE VIII

CERTIFICATION OF DOCUMENT

The Executive Director of the Board and that person so delegated the duty to have charge of the records of the Board shall have the authority to certify on behalf of the Board any and all documents, records or proceedings as may become necessary from time to time in the name and place of said Board.

ARTICLE IX

EXPENSES OF BOARD MEMBERS

Members of the Board shall receive reimbursement for expenses and mileage to the extent of the maximum provided by law for attendance and participation in the following activities related to performance of their official duties:

- (a) All officially called regular and special meetings of the Board.
- (b) Necessary consultations with county, city, transit, ports, Department of Transportation, or Transportation Benefit District personnel.
- (c) Dedication ceremonies for transportation projects.
- (d) Attendance at regional or area community and transportation conferences or meetings within the state.
- (e) Meetings and hearings of committees of the State Legislature as they relate to transportation.

Such, reimbursement shall be considered to be approved automatically by the Board: PROVIDED that questions of the Executive Director concerning definitions of allowable expenses as set forth above shall be referred to the Board for consideration.

With respect to any other activity requiring the attention, attendance or participation of the members or any member of the Board in the performance of their official duties, said member may receive reimbursement for expenses and mileage to the extent of the maximum provided by law with the prior recommendation of the Executive Director and prior approval of the Chair.

ARTICLE X

CONDUCT OF MEMBERS AT BOARD MEETINGS

Board members shall refrain from expressing official statements dealing with projects before the Board directly related to their jurisdiction. It shall be required that Board members designate a representative from their jurisdiction to be the official spokesperson when presenting information to the Board. The Chairperson may request a member to testify on any issue before the Board directly dealing with that member's own jurisdiction.

ARTICLE XI

BOARD MEETING ATTENDANCE

If a member of the Board is absent for three consecutive regularly scheduled Board meetings or is absent from more than fifty percent of the regularly scheduled meetings in any one calendar year, the following action will be taken:

- (a) The TIB Chair shall call the member to determine if the member desires to continue to serve on the Board; and
- (b) If the member continues to be absent, the TIB Chair shall notify the member by letter and send a copy to that member's appointing official and, if the member's position is subject to nomination, to the member's nominating organization.

ARTICLE XII

BOARD COMMITTEES

Section 1 **Committees of the Board**

The Board, by resolution adopted by a majority of its members, may designate and appoint one or more standing or temporary committees that may exercise the authority of the Board. The Chair of the Board may appoint committees that act only in an advisory capacity to the Board. The designation and appointment of committees and the delegation thereto of authority shall not operate to relieve the Board or any individual Chair of any responsibility imposed upon it, him or her by law.

Section 2 **Executive Committee**

The Executive Committee shall be composed of the Chair, Vice Chair, and two additional members appointed by the Chair. The Executive Committee shall have only those powers granted to it herein or by resolution of the Board for whatever purpose and period of time specified. The Executive Committee shall:

- (a) Lead the development of the Board's strategic plan.
- (b) Propose, review, or recommend passage, modification, or other action relating to Board policies prior to submission of the proposed amendment to the full Board.
- (c) Prepare a recommended legislative agenda for consideration of the full Board prior to each legislative session.
- (d) Monitor the events of each legislative session and shall be empowered to adopt Board policy relating to legislation during the session.

Section 3 **Route Jurisdiction Transfer Committee**

Upon receipt of a Route Jurisdiction Transfer request the Chair shall appoint a Route Jurisdiction Transfer Committee to review specific route transfer requests. No member of the Board who is an officer, agent, employee, or member of an entity with actual or potential jurisdiction over the subject route may participate on this committee.

Revisions

1. *Changes to Article XII adopted May 25, 2001*
2. *Changes to Article XII adopted July 26, 2002 – Elimination of the Increase, Sidewalk, and Legislative Committees*



Transportation Improvement Board

Financial Guidelines

Guiding Financial Direction

The Transportation Improvement Board (TIB) uses sound management practices in order to achieve a fiscally constrained, sustainable financial condition consistent with the guidelines below and assuming only committed revenues.

Financial Planning Process

TIB's financial planning process can be broken down into 4 steps:

1. *Forecast fund availability over the next six years.* This involves developing an operating plan that estimates the biennial level of expenditures as well as the anticipated level of revenues. The plan utilizes revenue projections developed by the Transportation Revenue Forecast Council. Any constraints imposed by financial restrictions such as limited appropriation authority, bond debt service, or cash flow are incorporated into the plan.
2. *Maintain a system of projected financial statements that can be used to analyze the effects of the financial plan.* Early awareness of deviations from plans is essential to good management controls, which in turn is essential to TIB's financial success.
3. *Establish and maintain a system of controls governing the use of funds within the six-year financial plan.* In essence, this involves continuous monitoring to assure the financial plan is carried out successfully.
4. *Develop procedures for adjusting the plan if the financial drivers change.* For example, if the revenue forecast turns out to be weaker than was originally forecasted, then this new condition must be recognized and adjustments made.

Financial Risk Factors

TIB acknowledges its financial risk factors and considers risk when setting financial direction.

Internal Risk Factor	External Risk Factor
<ul style="list-style-type: none">• Project grant increases<ul style="list-style-type: none">○ Administratively granted○ Board granted• Programming in excess of projected revenue• Use of debt service	<ul style="list-style-type: none">• Inflation• Revenue diversion• Lower revenue projection• Program funding cycle cancellation



Transportation Improvement Board

Financial Guidelines

Financial Performance Guidelines

1. Cash Management Guidelines

- a. *Terms of Payments* – Revenue and obligations will be managed so that payments can be made within thirty days of receipt. Payment terms will be a consideration when developing program sizes and authorizing increases.
- b. *Spending Plans* – At any given time during the biennium, if financial indicators show that the biennial appropriation may be exceeded, a spending plan strategy may be initiated. Care must be taken to avoid rolling increasing shortages into subsequent biennia. A spending plan may consist of any of the following strategies:
 - i. Pro-rata reimbursements – only a portion of an agency's reimbursement request will be paid.
 - ii. Financial hardship – those agencies that can demonstrate a financial hardship will be reimbursed.
- c. *Account balances* – In most cases the TIB will maintain a positive account balance in each of its capital accounts. Account balances will be used to meet seasonal reimbursement requests. The balances in each account will be considered when developing program sizes. Under certain conditions, carrying a negative account balance may provide financial benefit. Before entering a negative cash position, the TIB will carefully review the financial scenario to ensure the Board's ability to reach a positive cash position prior to the end of the biennium. Carrying a negative cash balance will be coordinated with the Office of Financial Management.

2. Use of Bonds

- a. The TIB recognizes that debt financing reduces program flexibility. As a result, bonding of TIB revenues is used to achieve strategic goals of the Board and Legislature. For example, bonding is used to fund a particular high-priority group of projects rather than to compensate for excessive obligations.
- b. TIB maintains a conservative bond coverage ratio.
- c. Prior to bonding, the Board shall be advised whether the level of indebtedness is expected to require cancellation or significant reduction of future calls for projects.

3. Investment Choices

- a. Call for projects
 - i. TIB recognizes the customer convenience and financial benefits of a regular schedule and size of calls for projects.



Transportation Improvement Board

Financial Guidelines

- ii. In order to provide sufficient distribution of funds to warrant applying, calls for projects should offer a minimum of:
 - 1. \$20 million for TPP and AIP
 - 2. \$5 million for SCP
 - 3. \$2.0 million for PSMP
 - iii. Calls for projects should be cancelled when fiscal capacity will not support the minimum call size.
 - iv. In general, the optimal call size for each program shall be the yearly revenue stream allocated to the program.
- b. Program Priorities. TIB recognizes the importance of each of its programs to grant recipients, however the following program priorities shall be used as a guideline to determine the order of call cancellation when fiscal capacity will not support new projects in all programs. The following table identifies the order of significance when insufficient funding is available.

Transportation Improvement Account (TIA)	Urban Arterial Trust Account (UATA)
1. Regionally Significant Transportation Projects (RSTP) – future bond proceeds have been authorized by the legislature for the construction of significant freight corridors 2. Transportation Partnership Program (TPP) - substantial bonding has already advanced funding for the highest priority projects	1. Arterial Improvement Program (AIP) - because of its safety and preservation focus 2. Small City Program (SCP) - because of its primary role in funding small city projects 3. Pedestrian Safety and Mobility Program (PSMP) - other programs are often available to address high priority safety needs 4. Federal Match Programs (various) – only a small portion of the entire funding package is provided by these programs

- c. Increases
- i. TIB recognizes the legitimate role of project increases in providing sufficient flexibility to respond to normal adjustments experienced in the life cycle of a project.
 - ii. TIB carefully manages increases to assure adequate fiscal capacity and minimization of financial risk.



Transportation Improvement Board

Financial Guidelines

- iii. TIB prioritizes its ability to meet current obligations on all existing awards over increases for any given project. In addition, the TIB places a high priority on the stability of the size and schedule for future calls for projects. The Board shall be notified in the event cumulative or individual increases would impede the ability of the agency to meet the future call schedule.

4. Financial Models

- a. TIB uses financial models to monitor and predict obligations and cash flow. The assumptions in the financial models are intended to simplify the financial environment under which the agency operates. These financial models will:
 - i. Predict biennial revenue and expenditure levels, and
 - ii. Predict sustainable program sizes

BOARD POLICY TABLE OF CONTENTS

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POL-801: Project Cost Increases – *Procedure to request an increase in board funds*

POL-802: Value Engineering Studies – *Requirements for projects needing VE studies*

POL-803: Project Audit Implementation – *Information regarding auditing on completed projects*

POL-804: Prospectus Submittals – *Requirements of project to accurately determine fund availability*

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POL-808: Sidewalks – *Sidewalk requirements for TIB projects*

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POL-811: Urgent Project Issue Resolution – *Resolution of urgent project issues through Exec Dir*

POL-812: TIB Sign Specifications – *Gives sign specifications for advertisement of TIB projects*

POL-813: Emergent Nature Projects – *Requirements for emergent nature project consideration*

POL-814: Subsurface Utility Engineering – *SUE requirements on TIB funded projects*

POL-815: Right of Way – *Right of way acquisition on TIB funded projects*

Delegation of Authority to Director – *Gives Executive Director Authority for certain project approvals*

POL-601 Reporting Information to the Board:

Recognizing that the Board does not schedule meetings on a monthly basis, the amount of information to be reviewed at each Board Meeting is increasing, and in an effort to make the administration of the Arterial Improvement Program (AIP), Transportation Partnership Program (TPP), City Hardship Assistance Program (CHAP), Small City Program (SCP), Pedestrian Safety and Mobility Program (PSMP), and the Route Jurisdiction Transfer (RJT) process function in an efficient manner, the Executive Director will report to the Board as specified below.

Authorization vs. Revenue reports for AIP, TPP, CHAP, SCP, and PSMP programs – These reports will be included as an informational item at the Board meetings.

Project Cost Change report on authorized AIP, TPP, CHAP, SCP, and PSMP projects – A summary of project actions by the Board and the Executive Director will be included as an informational item at the board meetings. The report will include a summary of fund decreases and increases granted.

Status of delayed TIB projects – A summary of the delayed projects will be reported to the Board at the July Board Meeting. A project review sheet will only be included for projects in each program needing to be reviewed by the Board. The projects included will be those that have significant changes in schedule or estimated cost.

Bond sale report for the Transportation Partnership Program – The Executive Director will report to the Board bond sales in the Executive Director's Report.

POL-801 Project Cost Increases

In addition to WAC 479-05-240, Procedure to request an increase in board funds, the board adopts the following policy relating to the request for an increase in funds at design and/or construction phases. The reference point for all project-matching ratios shall be the current approved TIB rate as of October 23, 1998, or the project selection date, whichever is later.

- Project increases greater than 15% or \$750,000 above the original TIB funds at project selection for urban AIP and TPP projects through Contract Completion will be brought before the Board for approval. Projects with excessive increases may be required to be resubmitted for reconsideration in a future funding cycle.
- Projects that are still pending design approval, that are not progressing or that have unrealistic completion dates, i.e., too far into the future, may be withdrawn.
- The project selection process on urban funding programs will include an application project cost estimate prepared and stamped by a registered engineer.
- For AIP projects selected after July 1, 2001, if Bid Award is not reached within 4-1/2 years of project selection, all increase requests will require approval of the Board.
- For TPP projects selected after July 1, 2001, if Bid Award is not reached within 5-1/2 years of project selection, all increase requests will require approval of the Board.
- CHAP, PSMP, and SCP project cost increases will be reviewed by the Board prior to design or construction approval on a case-by-case basis as determined by the executive director.

Matching ratio for TPP and AIP increases – A request for an increase in TIB funds may be made at the construction approval phase. The request for an increase in TIB funds shall not exceed the total increase above the total project cost submitted in the project application/project design review multiplied by the current TIB matching ratio. The fund increase approved by the board may result in a revised TIB matching ratio. Any increase in TIB funds may be adjusted at the construction approval and/or bid opening phases, a final adjustment may be made at the completion of the project. No increase will be approved at the design approval phase.

POL-802 Value Engineering Studies

The Board adopts the following policy regarding Value Engineering (VE) studies. For urban funding programs, a VE study is required for all projects exceeding two million dollars in total cost or any project determined by TIB staff to warrant a VE study. Projects in the Small City Program, Pedestrian Safety Mobility Program, or City Hardship Assistance Program do not require a VE study unless TIB staff determines there is a need for a study. Projects selected and funded for the construction phase only or projects that have less than a 20 percent TIB match in the total eligible project cost may be exempted from the VE study requirement by the Executive Director.

If the lead agency requests a waiver from the VE requirement, the agency shall submit a VE assessment report to be reviewed by TIB staff. This report will address the project characteristics, cost per mile, potential savings of high cost items, and other considerations unique to the project. Staff will review the VE assessment report and, from that review, develop a recommendation as to whether a VE study should be performed. The Executive Director shall have the authority to grant VE waivers for projects with a total cost not exceeding five million dollars, except as provided for above. Projects exceeding five million dollars will be reviewed and submitted to the Board for action on the waiver request.

If a VE study is required, an interagency team will be established and approved by the TIB Director, under the authority delegated from the Board.

If a TIB project is a part of a WSDOT facility, the WSDOT determination regarding the need for a Value Engineering Study will be accepted by TIB.

POL-803 Project Audit Implementation

Small city projects will have a desk audit and, unless questions are found by the TIB staff that warrants a full audit, no further action will be taken.

Urban projects may be audited if one or more of the following situations occur:

1. If the staff of the administration agency is separated to the point that the accounting

section has little contact with the engineering section.

2. If the TIB project engineer becomes knowledgeable of any problems during the life of the project that would warrant an audit.
3. If the lead agency requests an audit.
4. If one TIB project is being audited, it may be appropriate to consider auditing other TIB projects that the agency has completed.
5. If past experience has shown an agency has problems in project administration, their projects will be audited until the agency's administrative procedures are corrected.
6. If the project has a complicated financing scheme.

TIB projects may be selected for an audit on a random basis.

POL-804 Prospectus Submittals

The Legislature requires the Board to allocate funds to projects prior to July 1st of each year. In order to accurately determine the amount of funds required for previously approved projects and to determine the amount of funds available for new project starts, the following policy is established:

- On projects the Board has selected for funding prior to July 1, 2001, the lead agency shall submit a prospectus for project approval within 10 months from the date the Board offered funding or, if unable to do so, submit a written report to the Board explaining why the funding request must be delayed. On projects selected after July 1, 2001, approval for initial funding will be given at the time of selection, and the 10-month rule will not apply.
- For projects that are nearing the 10 month limit for initial prospectus submittal, the Executive Director will contact the agency in writing to determine when the agency plans to request prospectus approval. The Executive Director will analyze the agency's response and their

past performance and may recommend to the Board that the offer for project funding be withdrawn.

- For projects or stages of projects that have received initial funding and the development of that portion of the project appears to be progressing at an inappropriate rate, the Executive Director shall request the lead agency to provide an explanation for the apparent delay in project development. If the response from the lead agency reveals that the project is unjustifiably delayed, the Executive Director may recommend to the Board that the funding for this project or stage of project be withdrawn.
- When the Board reviews a priority array to offer funding for new projects, the Board will consider the local agency's past performance on projects and may withhold an offer of funding for the project if, in the Board's opinion, the agency's performance on a previously authorized project is unacceptable.

In no case will a project's funding or offer for funding be withdrawn without the agency having an opportunity to appeal to the Board.

POL-807 Matching Funds for Bridge Replacement Projects

Small City Program Projects:

Recognizing that the TIB Priority Array process does not coincide with the funding process of the Federal Bridge Replacement and Rehabilitation Program (FBRP) and the requirement for 20 percent local matching funds is often an unexpected, untimely and an extreme financial burden for small cities, the board adopts the following policy:

The Board will retain flexibility in the Small City Program (SCP) to consider funding the local matching funds for bridge projects. Only the work necessary for the bridge replacement or rehabilitation and the approaches is eligible for reimbursement. To be selected for funding under the SCP, the project must be selected for funding under the FBRP. The Board shall determine annually the amount of SCP funds to be made available for bridge projects. The amount not used for bridge projects under this

policy shall be made available for other SCP projects.

Transportation Partnerships Program or Arterial Inventory Program Projects:

The Board adopts the following policy regarding funding of urban projects in the FBRP:

The Board will accept Bridge Replacement project applications in the program funding cycles. The project will be rated against the other applications submitted for funding and will compete for TIB funding based on the criteria for the respective program. If the project is selected, the local agency will be required to fund a minimum of twenty percent of the required match for Federal Bridge Replacement funds; the remainder of the required local match will be fundable by TIB.

POL-808 Sidewalks

Recognizing the importance of sidewalks in the overall transportation plan, sidewalks are required on both sides of the roadway of all urban projects. Projects in the Pedestrian Safety and Mobility Program will only require sidewalks as specified in the project application.

Sidewalks are required on one side only on small city projects, except in areas where pedestrian traffic will be higher. Examples of higher pedestrian traffic areas are business districts and schools. The agency will be encouraged to construct sidewalks on both sides in these areas. Small city projects in the rehabilitation portion of the program may be exempt from the sidewalk requirement.

Sidewalks shall be a minimum of five feet in width, clear of any obstructions, and shall meet the requirements of the Americans with Disabilities Act. The maximum sidewalk width eligible for participation is eight feet, unless existing adjacent sidewalks are wider. Existing sidewalks may be utilized to satisfy the requirements of this policy.

POL-810 TIB Mitigation Policy

The purpose of this policy is to allow mitigation costs to be reimbursed with TIB funds and to limit the impact of the cost of excessive mitigation or other unusual project features.

The lead agency will be required to identify any mitigation item(s) and its cost(s) at the application phase of the project. The lead agency shall certify that mitigation items do not exceed state and federal requirements as applicable.

Mitigation items may include:

Sound walls/berms: Sound walls/berms are eligible for reimbursement up to 50% of the construction costs of the walls/berms if the following conditions are met:

1. The need for sound walls/berms are substantiated by project parameters and verified by noise level studies using current state or federal standards.
2. The local agency has formally adopted policies regarding sound walls/berms and has implemented it on all transportation projects.

Wetland Mitigation: Mitigation work that is in excess of that which is required by state or federal requirements is not eligible for TIB funding.

Hazardous Material Cleanup: Super fund sites are not eligible for TIB funds, other sites may be reviewed on a case-by-case basis.

Complex Bridges: Project costs for bridge designs exceeding the most cost effective design are not eligible for TIB funds.

Earthquake design: Additional costs for bridges designed to withstand higher magnitude earthquakes than is required by state or federal requirements are not eligible for TIB funds.

Other unusual project features: Other project features as determined by the TIB staff to be of excessive costs will be reviewed by the TIB increase subcommittee for recommendation to the Board prior to their action on the project.

Project elements of landscaping and utility undergrounding and their costs are subject to the rules and guidelines for landscaping and not this policy. Other items that may be included in landscaping costs are:

Ornamental Lighting: Extra cost over the cost for standard roadway lighting poles and fixtures are eligible for TIB funding.

Art Work: All costs for art or unusual architectural features or treatments are considered part of landscaping (e.g. an aesthetic amenity). All art must be on the project site to be eligible for TIB funding.

POL-811 Urgent Project Issue Resolution Policy

Recognizing that the Board does not schedule meetings on a monthly basis or the possibility of meeting cancellations and in an effort to make the administration of the TIB Programs function in an efficient manner, the Executive Director will resolve urgent project issues in accordance with the following procedure. The TIB Chair is delegated approval authority as specified below.

1. Project issues are defined as aspects of a project that require Board review and approval (cost increase, scope change, sidewalk deviation, deviation from minimum standards, etc.). A project issue becomes urgent when waiting for the next scheduled board meeting would cause undue delay in the development of the project, project cost increases, missing a construction season, losing a time constrained local funding source(s), or other similar detrimental effects as determined by the Executive Director.
2. The Executive Director will schedule a special meeting, which may be by a telephone conference call, with the executive committee. The participation of a majority of the respective committee members, including the Committee Chair or a designated alternate, shall constitute a quorum. The meeting shall include the appropriate TIB staff and local agency representatives and shall be conducted in a manner similar to a regularly scheduled board meeting. The local agency shall be permitted to proceed with project development consistent with the Committee's recommendation(s) as of the date of the TIB Chair's concurrence.

The Committee finding(s) will be reported to the Board in the TIB Chair's report at the next regularly scheduled meeting.

POL-812 TIB Sign Policy

The purpose of this policy is to identify to the public, projects which are funded in part with motor vehicle fuel tax or motor vehicle excise tax funds administered by the Transportation Improvement Board.

Transportation improvement projects funded by the Transportation Improvement Board shall include a suitable project sign which includes as a minimum the following information:

- The name of the project
- The lead agency name
- The funding partners, and the funding provided by each partner

The sign shall be at least 4 feet by 8 feet in size, and shall be mounted near the beginning of the project. The funding sources and amounts shall be listed in 2-inch or larger lettering. If logos are used to identify funding partners, the logos shall be at least 8 inches in height. If the Transportation Improvement Board is the largest funding partner, the TIB logo shall be prominently placed along with the local agency logo.

The TIB funds shall be identified as "State Transportation Improvement Board."

If the lead agency has a standard sign design for its capital improvement projects, it may be used as long as the TIB funding information is provided.

POL-813 Emergent Nature Projects

An eligible agency may request the Transportation Improvement Board to consider a project for participation in the TIB's current approved funding program as an emergent nature project pursuant to the provisions of RCW 47.26.080 and RCW 47.26.084. Applications must be submitted on those forms provided by the Board during the last approved funding program.

A project will be considered by the Board under this rule when the need for the project has arisen unexpectedly because of new developments in the area since the local agency prepared its current six-year construction program and when the local agency can clearly demonstrate that this need

could not have been anticipated at the time that program was developed.

The local agency shall present evidence to the Board concerning the emergent nature of the project and must demonstrate:

1. there has been a significant change in the location or development of traffic generators in the area of the project; and
2. the work proposed to be performed in the project is necessary to avoid or reduce serious traffic congestion in the area of the project in the near future; and
3. the significant increase in the need for the project defined in the project prospectus could not have been reasonably anticipated at the time the local agency's six-year construction program was prepared and submitted;

provided however, if the Board determines that the project is a significant component of the State's transportation system, the Board may waive any of the foregoing requirements.

Each application shall be accompanied by the most current available data relating to the priority rating factors specified by the Board. The Board shall evaluate projects proposed as emergent nature projects in relation to the priority array of projects developed during the last funding program. No project shall be considered for approval unless its priority is sufficiently high that the project would have been included in the Board's approved funding cycle if it had been available for rating at that time.

No project will be approved for participation as an emergent nature project if the funding of that project would adversely affect the construction of projects previously approved for participation by the Board. The Transportation Improvement Board shall consider emergent nature projects at its regularly scheduled meetings, at which time the submitting agency will be given the opportunity to make a presentation.

POL-814 Subsurface Utility Engineering

The Board adopts the following policy regarding Subsurface Utility Engineering (SUE) on TIB funded projects:

- All TIB projects with an estimated construction cost greater than \$500,000 are encouraged to utilize SUE. This policy will not affect phases of projects with an advertisement date prior to February 1, 2001. The SUE activities normally will continue through the life of the project from pre-design through construction.
- The TIB will establish a roster of SUE consultants that local agencies may use to perform SUE activities on their project. The local agency may also advertise for SUE services using their own request for services and selection process.
- At the start of the design phase, the lead agency may make a determination of the quality level of SUE to be used on the project. The lead agency may use a SUE consultant to determine if certain areas of the project require a utility information quality level of A or B (QL-A or QL-B) on underground utility location. If the lead agency decides to include SUE QL-A and/or QL-B for their project, the results of this determination shall be forwarded to the TIB for review and approval. Lead agencies shall refer to the latest FHWA publication on Subsurface Utility Engineering as a reference source for SUE procedures, consultant qualifications, and a sample request for services and consultant agreement.
- Some of the work involved in SUE is part of the normal design of all projects. The work involved for QL-A and QL-B shall be classified as a special study, for TIB purposes, and will be outside of the TIB limits on the percentage of engineering cost on projects. However, a request must be submitted to the Executive Director for approval for the portion of the work that is considered special study.

For those projects where the lead agency has submitted a request for approval of QL-A or QL-B or for those projects where the Executive Director has assigned a SUE consultant and

approval is pending as of the date of this policy revision, the local share of the match for the work involved for QL-A and QL-B will be reduced by fifty percent. The SUE work involved furnishing QL-D and QL-C shall be considered to be part of the normal design cost for the project.

Within 90 days following completion of any project using SUE, the lead agency shall submit a completed questionnaire to the TIB documenting the SUE cost and a description of savings on the project. The questionnaire form will be provided by TIB.

POL-815 Right of Way

The Board adopts the following policy regarding Right-of-Way acquisition on TIB funded projects:

1. TIB funds derived from Motor Vehicle Fuel Taxes may be used only for roadway purposes under the 18th Amendment to the Washington State Constitution.
2. Right-of-way shall be acquired in accordance with RCW Chapter 8.26 and WAC Chapter 468-100, "Uniform Relocation Assistance and Real Property Acquisition."
3. Right-of-way acquisition costs incurred after Design Approval are eligible project costs for reimbursement by TIB.
4. Right-of-way acquisition should be completed and certified at the time of Construction Prospectus Approval. If all right-of-way cannot be certified at this time, the local agency must have "Possession and Use" agreements for the remaining parcels. Eligible costs of these parcels will be limited to the final settlement amount for just compensation, or, if a condemnation action is filed and the matter proceeds to trial, the lesser of the pre-trial statement of just compensation as provided in RCW 8.25.010 or the court determined amount. The total amount of right-of-way costs eligible for reimbursement on all parcels within the project shall not exceed the amount set

forth for right-of-way costs in the Construction Prospectus.

5. Property acquired as an uneconomic remnant as defined by WAC Chapter 468-100, "Uniform Relocation Assistance and Real Property Acquisition," may be taken as right-of-way or as fee title. The remnant parcel shall not be eligible for reimbursement by TIB. The value of the remnant parcel shall be considered to be the same square foot value as the entire purchase.
6. When the balance of a parcel beyond the amount of property required for the proposed roadway improvement is purchased, and that remaining parcel is not considered an uneconomic remnant, then the ownership must be taken as fee title. The cost of the balance parcel is not eligible for reimbursement by TIB. The value of the balance parcel shall be established by a formal "after construction" appraisal. This value shall be deducted from the total cost of the entire right-of-way plus fee title purchase with the remaining cost being eligible for reimbursement by TIB.
7. For projects with donated right-of-way which will be counted as part of the local match, the value of the donated right-of-way shall be determined by a "fair market value" appraisal with the date of valuation being the date of the donation.
8. In the event a project does not proceed to construction, all TIB funds expended for the purchase of right-of-way shall be refunded to the TIB in accordance with WAC 479-05-160. The Board may provide a time period for compliance with this requirement upon written request of the local agency.

Delegation of Authority to the Director

Recognizing that the Board does not schedule meetings on a monthly basis the amount of information to be reviewed at each Board Meeting is increasing, and in an effort to make the administration of the Board function in an efficient manner, the Board has delegated to

the Executive Director certain approvals as specified below.

Common items for all programs are:

Identification and consideration of reducing TIB funds - The Director is given authority to reduce TIB funds identified as being surplus.

Consideration of fund shifts – The Director is given authority to move TIB authorized or reserved funds between funding phases/stages on projects where it is in the best interest of the lead agency and TIB to facilitate timely completion of the project. Fund shifts will only be approved if the agency can give TIB assurance that the funds will be replaced by other sources to ensure completion of the project. When a fund shift is approved, the lead agency must be prepared to reimburse the TIB if the project is not completed.

Establishment and approval of Value Engineering (VE) Study interagency teams - The Director is given authority to establish and approve VE study teams.

Authorization to approve Subsurface Utility Engineering (SUE) deviations – The Director is given authority to approve deviations from the SUE policy (Policy No. POL-814) where substantial compliance with the intent of the policy has been met.

Sidewalk deviation authority - The Director is given authority to approve the following types of sidewalk deviation requests:

1. Deviation on both sides of sections of a project which are motor vehicle ramps connecting to a WSDOT limited access route.
2. Deviation on the one side of sections of a project which is a frontage road immediately adjacent to a limited access route.
3. Deviation on the one side of sections of a project which are immediately adjacent to a railroad track or other facility which is considered a danger to pedestrians.
4. Deviation on both sides of a designated limited access facility, if: (1) route is signed for pedestrian prohibition, and (2)

pedestrian facilities are provided on immediately adjacent parallel routes on both sides of the limited access facility for the full length of the requested sidewalk deviation.

Other sidewalk deviation requests shall be submitted to the Board for action.

Federal Fund Swap - The Executive Director is given authority to replace federal funds with state funds on TIB projects. In some projects, the use of federal funds may be the only nexus that requires compliance with more complicated federal project requirements. If federal funds can be “swapped” for state TIB funds without marginal cost, these projects may proceed under the less complex state requirements in the areas of environmental documentation and financial record keeping. Projects that swap funds will be reported to the Board as part of the Project Actions Report.

Specific requirements for each program are:

Arterial Improvement Program:

- Apportionment of interest and fuel tax revenues - The Executive Director is given authority to apportion AIP revenues on a quarterly basis.
- Funding consideration for AIP projects on the approved priority array - The Executive Director is given authority to authorize project funding if there has been no change in project scope and an increase in AIP funds, if required, is less than fifteen percent or \$750,000, through Contract Completion. All other projects will be presented to the Board for their review and approval.

Transportation Partnership Program:

- Funding consideration for TPP projects on the approved priority array - The Executive Director is given authority to authorize project funding if there has been no change in project scope and an increase in TPP funds, if required, is less than fifteen percent or \$750,000 through Contract Completion. All other projects will be presented to the Board for their review and approval.
- Bond sale authorization - The Executive Director is given authority to request the

State Treasurer to sell bonds as needed to support the Transportation Improvement Account. This authority shall be reviewed by the Board annually.

City Hardship Assistance Program:

- Funding consideration for CHAP projects on the approved priority array - The Executive Director is given authority to authorize project funding if there has been no change in project scope and any increase in CHAP funds, if required, is less than \$50,000, or an aggregate total of \$75,000 at construction phase approval. All other projects will be presented to the Board for their review and approval.

Small City Program

- Funding consideration for SCP projects on the approved priority array - The Executive Director is given authority to authorize project funding if there has been no change in project scope and any increase in SCP funds, if required, of up to \$125,000 through Contract Completion. All other projects will be presented to the Board for their review and approval.
- Approval of exceptions to the twenty-five percent engineering limit – The Director is given authority to consider and approve eligible engineering costs for Small City Program (SCP) and Small City Pedestrian Safety and Mobility (SCP/PSMP) projects as follows: construction contract amount up to \$50,000 – 36.0%, contract amount \$100,000 – 33.0%, contract amount \$300,000 – 28.0%, contract amount \$500,000 – 25.0%. Eligible engineering costs between the above values shall be interpolated.

Small City Pedestrian Safety and Mobility Program

- Funding consideration for Small City Pedestrian Safety and Mobility Program (SC/PSMP) projects on the approved priority array – The Executive Director is given authority to authorize project funding if there has been no change in project scope and an increase in

SC/PSMP funds, if required, up to \$25,000 through Contract Completion. All other projects will be presented to the Board for their review and approval.

Delegation of authority to approve Subsurface Utility Engineering deviations approved by Board Motion on October 13, 2000. GMH

Delegation of authority to approve Small City Program and Small City Program/ Pedestrian Safety and Mobility Program design and construction engineering in excess of 25.0% approved by Board Motion on May 25, 2001. GMH

Change in Administrative Increases on AIP and TPP projects to 15% through Contract Completion approved by Board Motion September 28, 2001. RWM

Authorize the Executive Director to replace federal funds with TIB funds. Presented to the Board on January 25, 2002. RFS

Delegation of authority to approve a project increase in SCP funds up to \$125,000 of the original application amount. Approved by Board Motion on January 24, 2003. RFS

Delegation of authority to approve a project increase in SC/PSMP funds up to 15% of the original application amount. Approved by Board Motion on March 28, 2003. RFS

Delete POL-806, Funding for Predesign Projects, as predesign is no longer a phase; remove language referring to the now defunct Public Transportation Systems Account; remove language referring to obsolete sidewalk and increase committees. Approved by Board Motion on May 30, 2003. ECB

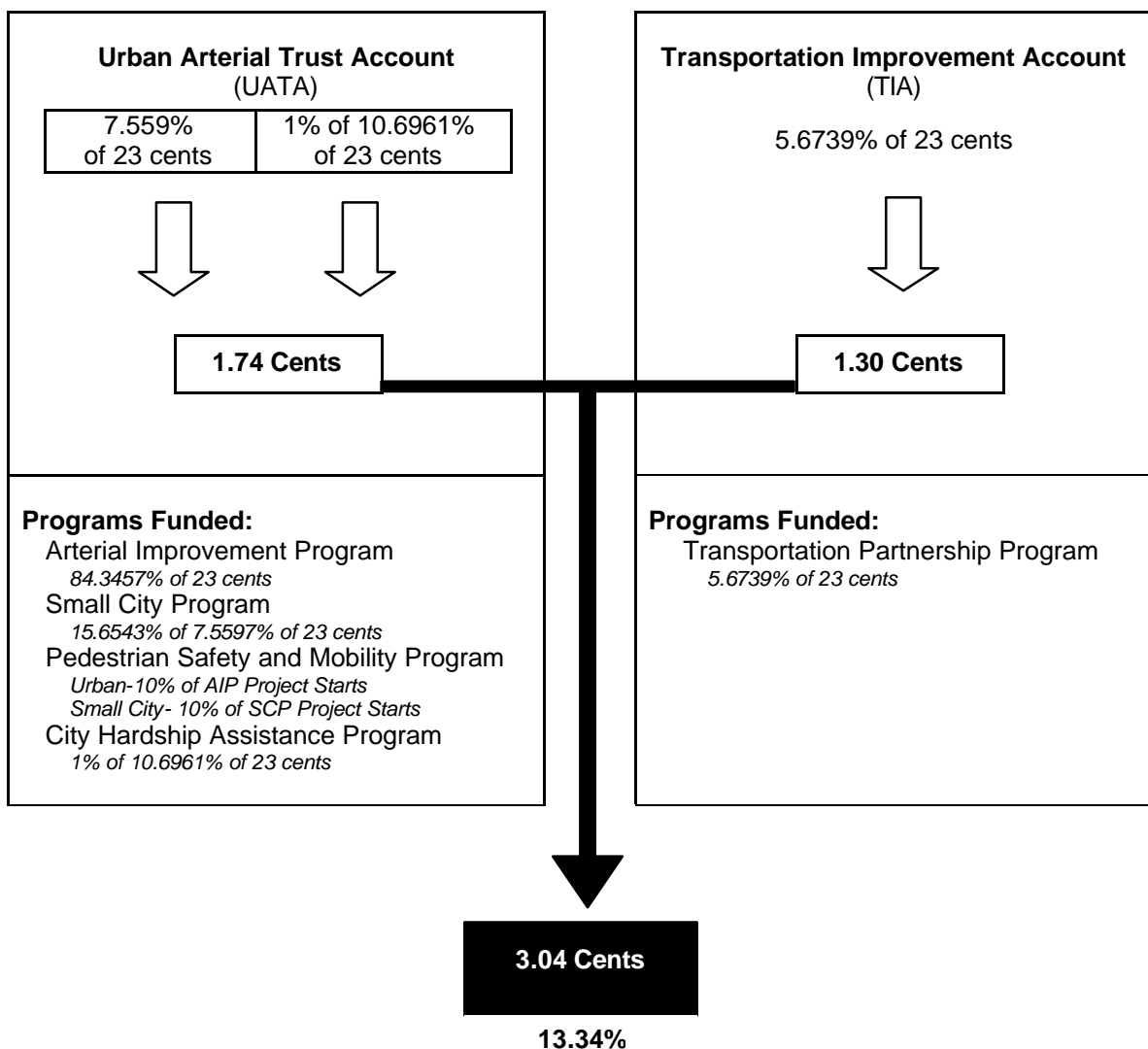
Change POL-812, TIB Sign Policy, to increase the size of the logo, prominently place the TIB logo when TIB is the largest funding partner, and identify TIB funding as "State Transportation Improvement Board" rather than "State Fuel Tax." Approved by Board Motion on July 25, 2003. RFS

Change Delegation of authority to approve a project increase in SC/PSMP funds up to \$25,000 of the original application amount. Approved by Board Motion on July 25, 2003. RWM

Transportation Improvement Board TIB Revenue Sources

TIB Revenue Sources

TIB funding program funds are generated from Washington state fuel tax. The distribution into accounts is shown in the table below.



Completion. All other projects will be presented to the Board for their review and approval.

Delegation of authority to approve Subsurface Utility Engineering deviations approved by Board Motion on October 13, 2000. GMH

Delegation of authority to approve Small City Program and Small City Program/ Pedestrian Safety and Mobility Program design and construction engineering in excess of 25.0% approved by Board Motion on May 25, 2001. GMH

Change in Administrative Increases on AIP and TPP projects to 15% through Contract Completion approved by Board Motion September 28, 2001. RWM

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Glossary of Terms

A

ADA - The Americans with Disabilities Act of 1990 which mandates changes in building codes, transportation, and hiring practices to prevent discrimination against persons with disabilities, not just in projects involving federal dollars, but all new public places, conveyances, and employers.

Annual Average Daily Traffic (AADT) - The estimate of typical daily traffic on a road segment for all days of the week, Sunday through Saturday, over the period of one year.

Average Daily Traffic (ADT) - The total traffic volume during a given time period (in whole days, greater than one day and less than one year) divided by the number of days in that time period.

C

CA - Certification Acceptance, the process of approving local agencies to administer their federal aid transportation projects.

CAAA - The Clean Air Act Amendments of 1990 identify “mobile sources” (vehicles) as primary sources of pollution and call for stringent new requirements in metropolitan areas and states where attainment of National Ambient Air Quality Standards (NAAQS) is or could be a problem.

CE (NEPA) - Categorical exclusions, actions that do not individually or cumulatively have a significant effect on the environment.

CE (SEPA) - Categorical exemptions, actions that do not individually or cumulatively have a significant effect on the environment.

CEQ - Federal Council on Environmental Quality.

CMS - Congestion Management Systems require large metropolitan areas (200,000 population or more) and states to develop management plans which make new and existing transportation facilities more effective through the use of travel demand management and operational management strategies.

Congestion Mitigation/Air Quality CMAQ -. A federal program, included in both ISTEA and TEA-21, that provides a flexible funding source to state and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act to reduce congestion and improve air quality.

COG - Council of Governments is a voluntary consortium of local government representatives, from contiguous communities, meeting on a regular basis and formed to cooperate on common planning and to solve common development problems of their area.

CTR - The Commute Trip Reduction legislation which requires major employers in the eight most populated counties in the state to take measures to reduce the number of single occupant vehicle (SOV) trips and the number of vehicle miles traveled (VMT) by their employees.

D

DBE - Disadvantaged business enterprise, a small business concern: (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any publicly-owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Determination of Non-significance (NEPA or SEPA Document) - The written decision by the agency administrator that a proposal will not have a significant environmental impact and no EIS is required (WAC 197-11-340).

DS - Determination of Significance (a SEPA Document). The written decision by the agency administrator that a proposal could have significant adverse impact and, therefore, requires an EIS (WAC 197-11-340).

DEIS - Draft Environmental Impact Statement, a document identifying a course of action, alternative actions, analysis of the environmental impacts of alternates considered, and proposed mitigation of impacts. The DEIS is circulated to other agencies and the public for review and comment.

Design Hearing - A public hearing to examine the design features of a proposed transportation facility.

Design Report - A formal documentation of design considerations and conclusions reached in the development of a project. The design report is prepared to record the evaluations of the various disciplines and results in design recommendations. This report is then reviewed and, upon concurrence, results in approval of the design. For most projects, the Project Prospectus serves as the design report.

DNS - Determination of Non-Significance (SEPA Document), the written decision by the agency administrator that a proposal will not have a significant environmental impact and no EIS is required (WAC) 197-11-340).

E

EA - Environmental Assessment, a document prepared for federally funded, permitted, or licensed projects, that are not categorical exclusions (CE) but do not appear to be of sufficient magnitude to require an EIS. The EA provides sufficient analysis and documentation to determine if a Finding of No Significant Impact (FONSI) can be adopted or if an EIS must be prepared.

EEO - Equal Employment Opportunity. A general term referring to all contract provisions relative to EEO.

EIS - Environmental Impact Statement, a detailed written statement of project environmental effects required by state and/or federal law. This term refers to either a Draft or Final Environmental Impact Statement, or both, depending on context.

ER - Emergency Relief, a federal aid funding program administered by FHWA and WSDOT.

F

FEIS - Final Environmental Impact Statement, a document containing an evaluation of the course of action that an agency intends to follow. It contains the same information required for the DEIS, with appropriate revisions reflecting comments received from circulation of the DEIS and from public meetings.

Force-Account Work - Construction work not covered in the contract documents and of a type not amenable to definition by a change order. Force-account reimbursement is used when it is difficult to provide adequate measurement or to estimate the cost of certain items of work. The contractor is reimbursed for the cost of the work plus profit using established weighted wage rates, equipment-rental rates, and the invoice cost of materials.

H

HES - Hazard Elimination Program, a federal aid-funding program administered by FHWA and WSDOT.

Highways and Local Programs - The WSDOT Highways and Local Programs Service Center provides project grants to local agencies along with statewide policies and standards used in the administration of Federal Highway Administration (FHWA) funds for transportation projects.

HOV - High-occupancy vehicle, e.g. bus, van, carpool.

HSS – The Highway of Statewide Significance system includes Interstate routes and principal state highways that connect major communities and support the state's economy.

J

JARRC – The Joint Administrative Rules Review Committee is a bipartisan, joint (senate-house) legislative committee responsible for reviewing agency rules to determine if they are within legislative intent and have been adopted according to Administrative Procedure Act requirements. RCW 34.05.610 through 34.05.660.

L

Local Match - That portion of a project's cost paid for with local agency funds, i.e. any funds other than those administered by the board. Transit (MVET) funds are considered local match in all TIB programs other than the Transit programs.

Location Hearing - A public hearing to examine the location of a proposed transportation facility, also called corridor or route hearing.

LRP - Long-Range Plan is a 20-year forecast plan, now required at both the metropolitan and state levels, which must consider a wide range of social, environmental, energy, and economic factors in determining overall regional goals and how transportation can best meet these goals.

M

MPO - Metropolitan Planning Organization is the agency designated by the Governor (or governors in multi-state areas) to administer the federally required transportation planning in a metropolitan area. An MPO must be in place in every urbanized area over 50,000 population. The MPO is responsible for the long-range plans and the transportation improvement program.

The official name for an MPO may also be Council of Governments, Planning Association, Planning Authority, Regional or Area Planning Council, Regional or Area Planning Commission.

MUTCD - Manual on Uniform Traffic Control Devices for Streets and Highways, USDOT and FHWA.

P

P&PSC - Planning and Programming Service Center. WSDOT's branch responsible for coordinating with local agencies on planning issues.

Public Involvement Plan - A required, integral part of an environmental study plan which outlines procedures for presenting information to the public, obtaining public comment, and considering public opinion.

R

Record of Decision - A document prepared by the federal lead agency, after an EIS has been completed, outlining the final decision on a proposal. It identifies the decision, alternatives considered, and measures to minimize harm; and it outlines a monitoring or enforcement program.

Regional Administrator - The Engineer in charge of each of the six WSDOT transportation regions.

Regional Transportation Plan – A Regional Transportation Plan, coordinating transportation planning efforts of all member jurisdictions, is required by all RTPO's receiving funding for regional planning under the Regional Transportation Plan Program of the GMA.

RJT – The route jurisdiction transfer review was assigned to TIB by the legislature to make recommendations on route jurisdiction changes. The TIB review is made using criteria established by the legislature and the legislature makes the final decision.

ROD - Record of Decision, a document prepared by the federal lead agency, after an EIS has been completed, outlining the final decision on a proposal. It identifies the decision, alternatives considered, and measures to minimize harm; and it outlines a monitoring or enforcement program.

S

Special Provisions - A portion of the construction contract specifications separate from the General Provisions and covering conditions unique to a specific project.

Standard Specifications - The latest version of "Standard Specification for Road, Bridge and Municipal Construction" published jointly by WSDOT and Washington State Chapter, American Public Works Association.

STIP - Statewide Transportation Improvement Program is a three year financially constrained transportation investment plan, required at the state level, which addresses the goals of the state long-range plan and lists priority projects and activities throughout the state.

T

TCM - Transportation Control Measures are implemented to enable nonattainment areas meet their emissions goals. They can include Transportation Demand Management measures, parking policies and pricing, or other system improvements which reduce congestion.

TDM - Transportation Demand Management measures try to reduce the proportion of SOV commuters. TDM measures can include portion of non-SOV modes of transportation, car and vanpool formation assistance, transit subsidies, and a variety of other measures.

TSM - Transportation System Management describes a variety of actions and activities designed to make the existing transportation system more efficient. It includes for, example, traffic synchronization.

TIP - Transportation Improvement Program is a three-year transportation investment strategy, required at the metropolitan level, and a two-year program at the state level, which addresses the goals of the long-range plans and lists priority projects and activities for the region. (At the state level, the TIP is also known as a STIP.)

TMA - Transportation Management Areas. Any area over 200,000 population is automatically a Transportation management Area, which subjects it to additional planning requirements but also entitles it to earmarked funds for large, urbanized areas under the Surface Transportation Program. There are three TMAs: Puget Sound Regional Council, Southwest Washington Regional Transportation Council, and Spokane Regional Transportation Council.

U

Urbanized Area - An area with a population over 50,000 within boundaries established by the U.S. Census Bureau or by responsible state and local officials in cooperation with each other. There are nine in Washington: Seattle-Everett, Tacoma, Yakima, Spokane, Vancouver, Tri-Cities, Bellingham, Olympia-Lacey-Tumwater, and Kelso-Longview.

Urban Area - Any land area within the boundaries of the federally-designated urban areas (population over 5,000) as shown on the official urban-area maps on file at WSDOT.

Urban Growth Area – Any land area with the boundaries of the state-designated urban growth boundaries established under the state Growth Management Act.

W

Wetlands - Lands covered by shallow water or lands where the water table is at or near the surface; includes marshes, swamps, bogs, natural ponds, wet meadows and river overflow. Three characteristics usually exist for land to be classified as a wetland: hydrology, hydric soils and wetland plant species.

WSTC – The Washington State Transportation Commission has a key role in setting Washington's transportation policy and goals. It directs WSDOT's planning and programming efforts and approves the final products.

WTPI – The Washington Transportation Policy Institute is a statewide, private nonprofit membership organization dedicated to assisting in the planning, building and operating of a balanced, efficient, integrated, multimodal and safe transportation system, both for freight and passengers statewide.

Chapter 479-01 WAC DESCRIPTION OF ORGANIZATION

WAC

479-01-010	Organization of transportation improvement board.
479-01-020	Time and place of meetings.
479-01-030	Address of board.
479-01-040	Definitions.
479-01-050	Administration costs.

WAC 479-01-010 Organization of transportation improvement board. The transportation improvement board is a twenty-one member board, organized under the provisions of chapter 269, Laws of 1995. The board administers the urban arterial trust account, the transportation improvement account, and public transportation systems account. The board evaluates petitions requesting any additions to or deletions from the state highway system and forwards recommendations to the legislature. The board selects projects for the STP statewide competitive program and the enhancement program and forwards the recommended list to the legislature. Board membership is defined in RCW [47.26.121](#).

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-01-010, filed 11/23/99, effective 12/24/99. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-010, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-01-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-010, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-010, filed 10/26/83; Order 31 (part), § 479-01-010, filed 11/8/67.]

WAC 479-01-020 Time and place of meetings. Regular public meetings of the board shall be held on the fourth Friday of the month or the third Friday if the fourth Friday is a holiday. Each such regular meeting shall be held at the offices of the board in Olympia, Washington, and begin at the hour of 9:00 a.m. or at such other time and place as designated by the board.

A special meeting of the board may be

called by the chairperson or by a majority of the members of the board, by delivering personally or by mail written notice to all other members of the board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting and all provisions of chapter [42.30](#) RCW shall apply.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-01-020, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-01-020, filed 1/30/95, effective 3/2/95; 92-12-014, § 479-01-020, filed 5/26/92, effective 6/26/92; 90-11-035, § 479-01-020, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-020, filed 10/26/83; Order 279, § 479-01-020, filed 4/17/73; Order 31 (part), § 479-01-020, filed 11/8/67.]

WAC 479-01-030 Address of board. Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Executive Director
Transportation Improvement Board
Post Office Box 40901
Olympia, Washington 98504-0901.

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-01-030, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-030, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-030, filed 10/26/83; Order 281, § 479-01-030, filed 5/21/73; Order 31 (part), § 479-01-030, filed 11/8/67.]

WAC 479-01-040 Definitions. For purposes of implementing the requirements of RCW [47.26.160](#) relative to the transportation improvement board, the following definitions shall apply

- (1) Board - the transportation improvement board.
- (2) TIB - the transportation improvement board.

(3) Director - the executive director of the transportation improvement board.

(4) Agency - all cities, towns, counties, and public transit agencies eligible to receive board funding.

(5) Urban area - the term "urban area" as used for the arterial improvement program and the transportation partnership program refers to the portion of a county within the federal urban area boundary as designated by FHWA and/or Washington state's Growth Management Act.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-01-040, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-01-040, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-040, filed 5/10/90, effective 6/10/90.]

WAC 479-01-050 Administration

costs. The board costs for necessary staff services and facilities that are attributable to the urban arterial trust account, transportation improvement account, and public transportation systems account shall be paid in proportion to the anticipated expenditures of the accounts as determined by the biennial appropriation.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-01-050, filed 11/23/99, effective 12/24/99. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-050, filed 10/30/95, effective 11/30/95.]

Chapter 479-02 WAC PUBLIC ACCESS TO INFORMATION AND RECORDS

WAC

479-02-010	Purpose.
479-02-050	Public records officer.
479-02-060	Public records available.
479-02-070	Requests for public records.
479-02-080	Availability for public inspection and copying of public records -- Office hours.
479-02-090	Inspection and copying cost.
479-02-100	Protection of public records.
479-02-110	Denial of request.
479-02-120	Review of agency denial.

479-02-130	Records index.
479-02-140	Availability.

WAC 479-02-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Washington transportation improvement board with the provisions of RCW [42.17.250](#) through [42.17.348](#) dealing with public records.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-02-010, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 91-13-056, § 479-02-010, filed 6/17/91, effective 7/18/91.]

WAC 479-02-050 Public records

officer. The transportation improvement board public records shall be in the charge of the executive secretary who shall be the public records officer for the board. The person so designated shall be officed in the Transportation Improvement Boards office in Olympia, Washington. The public records officer shall be responsible for implementation of the board's rules and regulations regarding release of public records, coordinating staff efforts of the board in this regard and generally ensuring compliance of the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-02-050, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 91-13-056, § 479-02-050, filed 6/17/91, effective 7/18/91.]

WAC 479-02-060 Public records

available. All public records of the board as defined in chapter [42.17](#) RCW are deemed available for public inspection and copying pursuant to these rules, unless the record falls within the specific exemptions of RCW [42.17.310](#) or other statute that exempts or prohibits disclosure of specific information or records.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-02-060, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter

[47.26](#) RCW. 91-13-056, § 479-02-060, filed 6/17/91, effective 7/18/91.]

WAC 479-02-070 Requests for public records. Subject to the provisions of subsection (3) of this section, public records are obtainable by members of the public when those members of the public comply with the following procedures.

(1) A request shall be addressed to the public records officer. Such request shall include the following:

(a) The name of the person requesting the record.

(b) The time of day and calendar date on which the request was made.

(c) If the matter requested is referenced within the current index maintained by the board, a reference to the requested record as it is described in such current index.

(d) If the requested matter is not identifiable by reference to the board's current index, a statement that identifies the specific record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the member of the public making the request whether the requested record is available for inspection or copying at the Transportation Improvement Boards office in Olympia, Washington.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the board is also a party or when such a request is made by or on behalf of an attorney for such a party the request shall be referred to the assistant attorney general assigned to the board for appropriate response.

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-02-070, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-070, filed 6/17/91, effective 7/18/91.]

WAC 479-02-080 Availability for public inspection and copying of public records -- Office hours. Public records shall be available for inspection and copying during

the normal business hours of the board. For the purposes of this chapter, the normal office hours shall be from 8 a.m. to 5 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: Chapter [47.26](#) RCW. 91-13-056, § 479-02-080, filed 6/17/91, effective 7/18/91.]

WAC 479-02-090 Inspection and copying cost. (1) No fee shall be charged for inspection of public records.

(2) The board shall impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy records; such charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying. Actual costs shall include the labor costs of staff, machine cost and paper cost necessary to provide copies of requested records.

[Statutory Authority: Chapter [47.26](#) RCW. 91-13-056, § 479-02-090, filed 6/17/91, effective 7/18/91.]

WAC 479-02-100 Protection of public records. In order to implement the provisions of RCW [42.17.290](#), requiring agencies to enact reasonable rules to protect public records from damage or disorganization, the following rules have been adopted.

(1) Copying of public documents shall be done by the board personnel and under the supervision of said personnel, upon the request of members of the public under the procedures set down in WAC [479-02-070](#).

(2) No document shall be physically removed by a member of the public from the area designated by the board for the public inspection of documents for any reason whatever.

(3) When a member of the public requests to examine an entire file or group of documents, as distinguished from a request to examine certain individual documents which can be identified and supplied by themselves, the board shall be allowed a reasonable time

to inspect the file to determine whether information protected from disclosure by RCW [42.17.310](#), is contained therein, and the board shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of causing such an inspection to be performed.

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-02-100, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-100, filed 6/17/91, effective 7/18/91.]

WAC 479-02-110 Denial of request. (1) The executive director shall determine which public records requested in accordance with these rules are exempt under the provisions of RCW [42.17.310](#) or other statute.

(2) Each denial of a request for a public record shall be accompanied by a written statement to the person requesting the record clearly specifying the reasons for denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-02-110, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-02-110, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-110, filed 6/17/91, effective 7/18/91.]

WAC 479-02-120 Review of agency denial. Whenever a person objects to a conclusion that a public record is exempt from disclosure, the person may request the attorney general to review the matter in accordance with RCW [42.17.325](#).

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-02-120, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-120, filed 6/17/91, effective 7/18/91.]

WAC 479-02-130 Records index. (1) The board has available for public inspection and copying at its offices in Olympia a current index of the following records:

(a) State legislation and proposed rules

and regulations pertaining to board standards.

(b) Those statements of policy and interpretations of policy, statute and bylaws which have been adopted by the board;

(c) Minutes of board meetings;

(d) Resolutions approved by the board;

(e) TIB program guidelines;

(f) Program reports and publications;

(g) Budgets and expenditures;

(h) TIB project administration and accounting files.

(2) A system of indexing shall be as follows:

(a) The indexing system will be administered by the board's public record officer.

(b) Copies of the index shall be available for public inspection and copying in the manner provided in chapter [479-02](#) WAC.

(c) The public record officer shall update the index at least once a year and shall revise the index when deemed necessary by the board.

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-02-130, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-130, filed 6/17/91, effective 7/18/91.]

WAC 479-02-140 Availability. The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: Chapter [47.26](#) RCW. 91-13-056, § 479-02-140, filed 6/17/91, effective 7/18/91.]

Chapter 479-05 WAC PROGRAM REQUIREMENTS

WAC

[479-05-010](#)

Time and place for submission of proposed transportation improvement board projects.

[479-05-020](#)

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Six-year financial plan.

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479-05-230	Expenditure schedule of board funds.
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479-05-250	Review of delayed projects.
479-05-260	Recovery of board funds on canceled projects.
479-05-270	Identification and consideration of surplus funds on authorized board projects.
479-05-280	Funding shortfall.
479-05-290	Over-programming of funds.

WAC 479-05-010 Time and place for submission of proposed transportation improvement board projects. Prospectuses for predesign or design phase shall be requested by the board after:

- (1) Submitted project applications have been evaluated as to priority;
- (2) The legislative appropriation authority has been reviewed and capacity to authorize additional projects determined.

Prospectuses for predesign phase or design phase shall be received by the board by the first day of the month preceding the month in which project authorization is

proposed unless a later receipt is approved by the director.

Prospectuses for the construction phase shall be received by the twentieth day of the month preceding the month in which construction project authorization is proposed unless a later receipt date is approved by the director.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-010, filed 11/23/99, effective 12/24/99.]

WAC 479-05-020 Six-year transportation programs for urban areas. The six-year transportation programs of agencies required, respectively, by RCW [35.77.010](#), [36.81.121](#) and [35.58.2795](#) must have proposed transportation improvement board projects included prior to board approval of funds.

A copy of the six-year transportation program including the proposed projects to be approved shall be submitted to the board along with a copy of the resolution of the city or county adopting such program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-020, filed 11/23/99, effective 12/24/99.]

WAC 479-05-030 Six-year financial plan. At the beginning of each fiscal year the board shall update its six-year financial plan to determine the amount of estimated revenue to be available for new project starts in the ensuing biennium. The estimate of funds for new project starts shall take into consideration projects approved by the board for the design phase where construction funding approval is pending.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-030, filed 11/23/99, effective 12/24/99.]

WAC 479-05-040 Value engineering study requirements. Value engineering studies shall be required in accordance with the policy adopted by the board.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-040, filed 11/23/99, effective 12/24/99.]

WAC 479-05-050 Procedures for project approval. Predesign, design proposals and related construction projects authorized by the board for financial assistance shall be selected for authorization based upon the following factors:

The proposed project scope shall include improvements that will address or mitigate the items for which the project was selected.

The board shall evaluate the project scope and may reduce the project scope if the scope exceeds that which is necessary to address or mitigate items.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

(1) Each project shall be evaluated on the availability and source of matching funds.

(2) Construction prospectuses for projects previously approved for design and right of way funding by the board shall be required to be accompanied by the following information demonstrating the readiness of the project to be placed under contract for construction.

(a) A certification from the legislative body or other designated responsible official, of the administering agency, that an environmental impact analysis has been conducted and an environmental impact statement including the conformity with the state and Federal Clean Air Acts or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter [43.21C](#) RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.

(b) A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.

(c) A certification from the legislative body that the project is completely designed and ready to be advertised for bids.

(d) The date the project will be advertised for bids.

(e) Each construction project prospectus shall identify changes between the scope of work of the proposed project and the work contemplated in the current six-year transportation program or the project design prospectus. An explanation and justification for such changes shall also be included.

(f) The board shall consider adjustments to the amount previously requested in accordance with the board's rule on increases in transportation improvement board funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-050, filed 11/23/99, effective 12/24/99.]

WAC 479-05-060 Methods of construction. All construction by agencies using board funds shall be advertised, competitively bid and contracted, except:

(1) Utility and railroad relocations and adjustments; and

(2) Installation of traffic control devices, if accomplished by the personnel of the agency.

A competitive bid is not required for projects which meet the requirements of chapters [36.77](#), [35.22](#), [35.23](#), and [35.27](#) RCW.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-060, filed 11/23/99, effective 12/24/99.]

WAC 479-05-070 Registered engineer in charge. All construction projects using transportation improvement board funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-070, filed 11/23/99, effective 12/24/99.]

WAC 479-05-080 Standard specifications. The current edition of *the Standard Specifications for Road, Bridge, and Municipal Construction* or equivalent, shall be included in any contract entered into by an agency using board funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-080, filed 11/23/99, effective 12/24/99.]

WAC 479-05-090 Design standards for transportation improvement board projects. All transportation improvement board funded projects shall be prepared using currently applicable design standards.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-090, filed 11/23/99, effective 12/24/99.]

WAC 479-05-100 Utility and railroad adjustments and relocations. Utility and railroad adjustments and relocations may be performed by negotiated contract with the owner of those facilities. The administering agency shall review and approve a written statement that includes the items of work and an estimate of cost prepared by the utility or railroad for the work required as a result of the improvement. Updated statements of items of work and estimates of cost may be reviewed and approved by the administering agency. All costs of utility and railroad adjustments, as finally approved by the administering agency, shall be subject to audit. If federal aid highway funds are included in the project, the negotiated contract shall include the applicable provisions of federal Highway Administration policies and procedures prescribed in 23 C.F.R. 140, 23 C.F.R. 645 and 23 C.F.R. 646, Federal Aid Policy Guide.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-100, filed 11/23/99, effective 12/24/99.]

WAC 479-05-110 Undergrounding utilities. Board funds may be used in the actual, necessary costs of relocating utility or other service facilities resulting from an approved project when:

- (1) The local agency administering the project directly incurs such costs; or
- (2) The local agency administering the project is obligated by law or by previously

established and documented policies and practices for such costs.

Board funds may be used in the costs to underground service connections for street illumination and traffic signal services within the prescribed limits of the approved project.

The board funds used in the costs of relocating utility or other service facilities, other than service connections for street illumination and traffic signal services within the prescribed limits of the approved project, shall be further limited as follows:

(a) Where a local agency requires that existing overhead facilities be placed underground, board funds shall be limited. The board considers this type of improvements to be aesthetic in nature as is landscaping, therefore, the cost involved in undergrounding the utility facilities, in excess of the estimated cost to relocate them overhead, will be included within the three percent allowance for landscaping costs.

(b) If utility lines or other service facilities are already underground, board funds may be used in the costs of replacing such facilities on an underground basis.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-110, filed 11/23/99, effective 12/24/99.]

WAC 479-05-120 Traffic control devices. Traffic control devices included in a participating project may be installed by the employees and with the equipment and materials of the local governmental units subject to the limits of RCW [35.22.620](#)(3), [35.23.352](#) (1), and [36.77.065](#)(3): Provided, That the basis for payment of board funds is reimbursement of the appropriate portion of actual cost of such work, subject to audit.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-120, filed 11/23/99, effective 12/24/99.]

WAC 479-05-130 Project landscaping. Board funds may be used at the appropriate matching ratio in the cost of landscaping and the use of other plantings

and supporting materials within the project right of way to a maximum of three percent of the total authorized project costs:

Provided, That requests for increases in the authorized amount of board funds to cover landscaping and related costs shall be considered jointly with other cost increases and approval of all such requests shall be limited to the amount authorized by WAC [479-05-250](#) to be approved by the director. Erosion control treatment shall not be considered a part of landscaping costs.

The three percent limitation for landscaping and related costs shall not affect the agency's authority to include landscaping and the use of other plantings or supporting materials in the project in amounts that exceed the three percent limit provided they are paid for solely with funds other than board supplied funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-130, filed 11/23/99, effective 12/24/99.]

WAC 479-05-140 Acquisition of rights of way. Right of way for board funded projects shall be acquired in accordance with chapter [468-100](#) WAC.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-140, filed 11/23/99, effective 12/24/99.]

WAC 479-05-150 Inclusion of bicycle facilities in transportation improvement board projects. If an eligible agency has a project funded by transportation improvement board funds that includes the construction of bicycle facilities, the agency shall submit its bikeway plan to the board in map form along with the agency's verification that the plan has been reviewed with, and approved by, the agency's legislative body.

The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards shown in Chapter 1020 of the *Washington Department of Transportation Design Manual*.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-150, filed 11/23/99, effective 12/24/99.]

WAC 479-05-160 Reimbursable costs. Project costs eligible for reimbursement from the account shall be those proper and allowable costs incurred on a project after the project is authorized by the board except as provided by the following:

Reimbursement of right of way acquisition costs are eligible within the design phase of the project. In the event the project is not built, those funds expended for right of way shall be refunded to the board.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-160, filed 11/23/99, effective 12/24/99.]

WAC 479-05-170 Reimbursable costs for engineering. Design and construction engineering costs eligible for reimbursement shall be limited to twenty-five percent of the approved contract bid amount including adjustments for change orders and actual quantity amounts during construction and agency force construction. Exceptions to the twenty-five percent engineering limit may be considered by the board. Agency costs for value engineering and other special studies and right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-170, filed 11/23/99, effective 12/24/99.]

WAC 479-05-180 Direct costs. Direct costs eligible for board participation are those costs which are directly attributable to a specific project and shall include:

(1) Direct labor (engineering and/or construction) including related employee benefits:

(a) Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating unit involved) for periods of

time, actively or incidentally engaged in:

- (i) Predesign engineering;
- (ii) Design engineering;
- (iii) Construction engineering;
- (iv) Acquisition of rights of way; and
- (v) Actual construction activities are considered a direct cost of construction projects.

The cost of services rendered by employees generally classified as administrative are considered a direct cost only when such employees are assigned for short periods of time to perform on a full time basis the types of services described above and when similar procedures are followed for nonboard projects.

(b) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (i) F.I.C.A. (Social Security) - employer's share;
- (ii) Retirement benefits;
- (iii) Hospital, health, dental and other welfare insurance;
- (iv) Life insurance;
- (v) Industrial and medical insurance;
- (vi) Vacation;
- (vii) Holiday;
- (viii) Sick leave;
- (ix) Military leave and jury duty.

Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations.

- (2) Contract engineering services.
- (3) Right of way acquisition costs including:
 - (a) Purchase of land and easements acquired for and devoted to the project;
 - (b) Purchase of improvements;
 - (c) Adjustment or reestablishment of improvements;
 - (d) Salaries, expenses or fees of appraisers, negotiators or attorneys;
 - (e) Removal or demolition of improvement;

(f) Other direct costs in connection with the acquisition. Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.

(4) Contract construction work, and/or capital equipment acquisition approved by the board.

(5) Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county owned equipment, at the rental rates established by the city's or county's "equipment rental and revolving fund" following the methods prescribed by the division of audit: Provided, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities which may not use this type of fund shall be allowed the same rates as used by the department of transportation.

(6) Direct materials and supplies. The cost of materials used in projects shall be based upon methods prescribed for the "equipment rental and revolving fund" by the division of audit.

(a) An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.

(b) The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs.

(7) Interdepartmental charges for work performed by county or city departments, other than the road or street department, for the benefit of specific construction projects shall be limited to direct costs plus an allocation of indirect costs based upon ten percent of direct labor dollars, excluding employee benefits. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to nonboard projects; however, this rate shall not exceed the

indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs includable in the total interdepartmental charges.

(8) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by board funds and may include, but shall not be limited to, such items as:

- (a) Telephone charges;
- (b) Reproduction and photogrammetry costs;
- (c) Computer usage;
- (d) Printing and advertising.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-180, filed 11/23/99, effective 12/24/99.]

WAC 479-05-190 Indirect costs. Indirect costs incurred by an agency for common or joint objectives which include an authorized board funded project, and which are not included in those direct costs set forth and defined in WAC [479-05-190](#), shall be eligible for board fund participation on a particular project at the agency's approved rate, to a maximum of sixty percent if it has been computed based on OMB Circular A-87. If the agency does not have an approved rate, the rate shall not exceed ten percent of direct labor costs.

[Statutory Authority: Chapter [47.26](#) RCW. 00-22-001, § 479-05-190, filed 10/19/00, effective 11/19/00. Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-190, filed 11/23/99, effective 12/24/99.]

WAC 479-05-200 Partial or progress payments for project costs. Participation and payment of board funds to agencies shall be governed by the following:

(1) Board participation. Board funds shall not participate in any cost which is not incurred in conformity with all applicable federal and state law and the rules, regulations and procedures as may be

prescribed by the board promulgated in conformity with the statutes.

(2) Project acceptance. Projects for which board funds are requested by the eligible agencies and for which the board has allocated funds will be the subject of a project approval process. The agencies' participation in this process demonstrates acceptance of the conditions to payment of funds, as prescribed by laws and regulations, and the amount of funds to be obligated.

(3) Changes in project work and cost. No material change in the termini, character, or scope of the work on an approved project shall be made without prior concurrence in such changes by the board.

(4) Payments. Eligible agencies are to submit requests for payment of funds claimed to be due on approved projects. Such requests are to be on forms prescribed by the board. Supporting data may be required by the board. Requests for payment may be submitted from time to time as the work progresses and final requests shall be signed and submitted within six months of contract completion. Payment of TIB funds shall at no time exceed the approved amount of the project costs incurred to the date of the payment request.

(5) Compliance with laws and regulations. If an eligible agency has failed to comply with laws and regulations with respect to a project, payment of funds may be withheld on such projects, or approval of additional projects may be withheld until compliance or remedial action has been accomplished by the eligible agency to the satisfaction of the board.

(6) Costs incurred prior to phase approval shall be considered ineligible.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-200, filed 11/23/99, effective 12/24/99.]

WAC 479-05-210 Record requirements. All eligible agencies requesting payment of board funds on authorized projects shall have procedures in effect that will provide adequate assurance that payments requested are proper and

accurate:

(1) Quantities of complete construction contract work shall be supported by all related source documents upon which payment to the contractor is based. These source documents shall include, but shall not be limited to, tickets for items measured on a weight or volume basis, cross section notes, inspector's diaries, engineering calculations for items measured in place, material tests, shipping invoices for steel, and all other field records normally developed by field engineers to support final quantities paid to contractors. The quantity field record should be summarized so that final pay estimates would lend themselves to comparison with supporting records.

(2) All appraisal reports, record of negotiations with grantors including a negotiator's diary indicating dates of contracts, offers made, and final acceptance by grantor, title insurance documents, transfer documents such as warranty deeds, quit claim deeds, easements, contract and sale documents, shall be maintained.

(3) Daily labor time records, equipment use records, requisitions for materials used, invoices for goods and services, and other invoices shall be maintained. Records shall also be maintained which support employee benefit percentages which are used in calculating amounts charged to construction projects.

(4) All records shall be retained until notification from the board that a project audit is complete or is not required.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-210, filed 11/23/99, effective 12/24/99.]

WAC 479-05-220 Audits of project records. Projects shall be audited in accordance with the policy adopted by the board. Project records for each project developed through the use of board funds may be audited to determine that funds paid can be attributed to the project and supported by project records. The audit will determine if there has been compliance with the rules of the board. Projects may be audited by the

board at the time of the project completion or at such additional times as may be directed by the director.

The director may, where the cumulative amount of audit exceptions is less than five hundred dollars in board funds, advise the agency that no recovery of funds is requested.

Audit exceptions which the director considers to be significant in relation to board rules or significant in amount to warrant potential recovery of funds, shall be furnished to the administering agency to allow an opportunity to respond in writing to the audit report.

After reviewing the written response, the director shall advise the agency whether any recovery of funds is indicated.

If recovery of board funds is indicated, as determined by the director, or by the board, the agency shall be provided ninety days from the date of the notice from the board to make repayment.

If repayment of funds by the agency is not made within ninety days from the date of the notice from the board, the subject shall be placed before the board for review and action.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-220, filed 11/23/99, effective 12/24/99.]

WAC 479-05-230 Expenditure schedule of board funds. Each eligible agency having an approved project shall, when requested by the director, submit an updated schedule of its estimated demand for board funds to the board. This schedule shall be on forms provided by the board and shall include the estimated demand for board funds at least biannually until project completion.

Such estimates shall be differentiated between the design engineering, right of way and construction stages of project development.

Additional information pertaining to estimated demands for board funds by eligible agencies may be requested by the

director as required to permit adequate funding of the programs.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-230, filed 11/23/99, effective 12/24/99.]

WAC 479-05-240 Procedure to request increase in board funds. The amount of funds approved will be based upon the amount requested at design approval. This amount may be adjusted from the amount shown in the project application with adequate justification. Board fund increases are not approved at predesign and design phase.

Local agencies may request an increase in funds over the amount set forth in the design phase, at the construction phase, bid opening or contract completion of a project in accordance with the following procedures:

(1) At the construction phase all requests shall be reviewed by the director. The director shall report the findings to the board for its review, consideration and final action. The board shall not grant a request for increase at this phase if:

(a) The requested increase is to pay for an expansion of the scope of the work that is beyond the work required to accomplish the intent of the project as approved at the design phase.

(b) The granting of the request will obligate funding beyond the level acceptable to the board or will in any way adversely affect authorized funds previously approved by the board.

(2) Request for increases at bid opening shall not exceed the amount set by board policy. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction phase of the

project.

(3) Requests for increases in funds submitted to the board at contract completion shall not exceed the amount set by board policy. Requests for increases at this phase will take priority over design and construction phase approvals. Such requests shall be reviewed by the director and will not be approved if:

(a) The requested increase is to pay for an expansion of the authorized scope of the work; or

(b) If the request is not substantiated and the director determines that the increased funds should have been anticipated by the local agency at the construction approval phase of the project.

(4) If the director or the board, as the case may be, does not approve the request of a local agency for an increase, the administering agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds; or

(b) Withdraw the request for participation; or, if applicable

(c) Within the authorized amount, and subject to approval by the director, reduce the scope of the project while retaining a usable and functional improvement.

[Statutory Authority: Chapter [47.26](#) RCW. 01-19-040, § 479-05-240, filed 9/14/01, effective 10/15/01. Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-240, filed 11/23/99, effective 12/24/99.]

WAC 479-05-250 Review of delayed projects. The director may contact, in writing, each local agency administering a transportation improvement board-funded project that appears to be delayed when evaluated in relation to the proposed schedule for project development. If the agency does not respond to the inquiry of the director within twenty days explaining why the project is delayed, it shall be placed before the board as a candidate for cancellation as a delayed project.

The written response from the administering agency shall be reviewed to

determine if the reason or reasons for the project delay is acceptable. The administrative agency will be advised by certified mail by the director if the delay is for an unacceptable reason. The letter from the director shall advise the local agency that:

(1) The project is delayed for an unacceptable reason;

(2) The local agency has a period of three months from the date of the director's letter to resolve the reason or reasons for delay and to provide evidence to the board that the problems have been resolved. Such evidence shall, if requested by the director, include a time schedule for project development which sets forth project development dates in sufficient detail to permit monthly monitoring of project progress;

(3) If the reason or reasons for delay are not resolved within the specified time period, the project may be placed before the board as a candidate for cancellation.

The administering agency for any project placed before the board as a candidate for cancellation shall be requested to appear before the board to explain the status of the project.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-250, filed 11/23/99, effective 12/24/99.]

WAC 479-05-260 Recovery of board funds on canceled projects. Project development costs incurred by an agency on behalf of an authorized project that is subsequently canceled at the request of the agency, or by the board, shall be eligible for participation by board funds if, in the opinion of the board, the agency has pursued the project's development in good faith with a reasonable expectation of completing the project: Provided, That in all projects where the total project cost exceeds the amount of authorized board funds plus local matching funds, board funds shall be recovered in sufficient amount that the percentage of nonrecovered payments in relation to total project costs to the date of cancellation or withdrawal shall not exceed the percentage determined by dividing the total authorized

amount of board funds by the most recently determined total project cost.

All board funds previously paid to an agency on behalf of an authorized project as a result of falsification, negligence, or deliberate misrepresentation on the part of the administering agency, in the opinion of the board, shall be repaid to the appropriate account, or a repayment agreement that is acceptable to the board shall be executed between the local agency and the board, within ninety days following cancellation of the specified project by request of the agency or by the board.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-260, filed 11/23/99, effective 12/24/99.]

WAC 479-05-270 Identification and consideration of surplus funds on authorized board projects.

When requested by the director, by certified mail, each project authorized for financial assistance from the local agency shall review their project to identify probable reductions in project cost in relation to the previously authorized amount of funds. The agency shall review the project to:

(1) Close the project by submitting a final request for payment and summary cost documents if all work has been completed; or

(2) Advise the board of total costs to date, remaining costs necessary to complete the project, and the amount of estimated surplus funds, if any, on the project.

Each response shall be reviewed by the director to determine whether the explanations appear reasonable and whether the agency appears to be pursuing the completion of the project at a reasonable rate. Any project where the agency does not appear to be pursuing the project to completion at a reasonable rate, or fails to submit a final request for payment within six months from the date that all work appears to be complete, shall be referred by the director to the board for appropriate action.

Each agency administering a project that is not considered to be developing to completion at a reasonable rate, or fails to

submit a final request for payment within six months when all physical work appears to be completed, shall be notified by the director by certified mail that the project is being scheduled for a hearing before the board at a specified time and place. The agency shall be requested to provide suitable representation to such board meeting to explain the status of the authorized project, the reasons why the project has not been completed and finalized out, the amount of board funds estimated to be required to complete the project, and the resulting surplus in relation to previously authorized board funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-270, filed 11/23/99, effective 12/24/99.]

WAC 479-05-280 Funding shortfall. If it is determined by the transportation improvement board that the funding in any of the accounts will be insufficient to meet the obligations identified for the selected projects, the transportation improvement board shall have discretion as to the action it will take.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-280, filed 11/23/99, effective 12/24/99.]

WAC 479-05-290 Over-programming of funds. The transportation improvement board shall select projects based on its estimate of revenues and expenditures. The transportation improvement board may utilize the principle of over-programming when selecting projects, the degree of such over-programming to be at the discretion of the transportation improvement board for each account and application period.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-05-290, filed 11/23/99, effective 12/24/99.]

Chapter 479-12 WAC SUBMISSION OF PROPOSED URBAN ARTERIAL TRUST ACCOUNT PROJECTS TO

TRANSPORTATION IMPROVEMENT BOARD

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WAC 479-12-005 Purpose and authority. RCW [47.26.160](#) provides that the transportation improvement board shall adopt reasonable rules necessary to implement the urban arterial trust account.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-005, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-12-005, filed 1/30/95, effective 3/2/95.]

WAC 479-12-008 Definitions. For purposes of implementing the requirements of RCW [47.26.185](#) relative to the urban arterial trust account, the following definitions shall apply:

- (1) UATA - this is the abbreviation for the urban arterial trust account.
- (2) AIP - arterial improvement program.
- (3) SCP - small city program.
- (4) CHAP - city hardship assistance program.
- (5) PSMP - pedestrian safety and mobility program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-008, filed 11/23/99, effective 12/24/99. Statutory Authority: RCW [4.26.086](#), [47.26.080](#) and [82.44.180](#). 96-04-015, § 479-12-008, filed 1/29/96, effective 2/29/96. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-12-008, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-12-008, filed 1/30/95, effective 3/2/95.]

WAC 479-12-011 Programs funded from the urban arterial trust account. Funds from the urban arterial trust account shall fund the arterial improvement program, the small city program, the city hardship

assistance program, and the pedestrian safety and mobility program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-011, filed 11/23/99, effective 12/24/99.]

WAC 479-12-100 Intent of the arterial improvement program. The intent of the arterial improvement program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state. Eligible agencies are counties with urban areas, cities and towns within an urban area, and cities with a population of five thousand or greater.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-100, filed 11/23/99, effective 12/24/99.]

WAC 479-12-110 Priority criteria for arterial improvement program projects. The transportation improvement board shall evaluate the proposed arterial improvement projects by utilizing the following criteria to prioritize projects.

- (1) Safety, improvements to reduce accidents;
- (2) Mobility, improvements to increase mobility;
- (3) Structural condition of the roadway, improvements to the roadway surface;
- (4) Roadway widths, improvements to widen substandard lanes and shoulders and adding sidewalks;
- (5) Multimodal, improvements for a variety of transportation modes such as transit, bicycle, trucks, etc.;
- (6) Project cost, improvements with lower cost in relationship to traffic and length;
- (7) Other, consideration given to agencies that show initiative to improve their local transportation system in various ways.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-110, filed 11/23/99, effective 12/24/99.]

WAC 479-12-120 Establishing regions for arterial improvement program. For the

purpose of apportioning arterial improvement program funds, the counties of the state are grouped within five regions of the state as follows:

(1) Northeast region shall include eligible agencies within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.

(2) Southeast region shall include eligible agencies within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.

(3) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(4) Northwest region shall include eligible agencies within the counties of Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom.

(5) Southwest shall include eligible agencies within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-120, filed 11/23/99, effective 12/24/99.]

WAC 479-12-130 Apportionment of funds to arterial improvement program regions. Beginning 1995, every four years, the board shall determine the distribution formula to apportion unobligated arterial trust account funds to each urban region. The distribution formula shall be defined in the following manner:

(1) One-third of the ratio shall be the population the urban areas of each region bears to the total population of all urban areas of the state as last determined by the office of financial management;

(2) One-third of the ratio shall be the vehicle to mile ratio traveled on the classified arterial system within the urban areas of each region, compared to the total vehicle to mile ratio traveled on all classified urban arterial systems;

(3) One-third of the ratio shall be an actual or historical indicator of needs within

the region as determined by the board.

The distribution of funds within each region shall be administered so as to permit complete arterial improvement program projects in each arterial classification to be authorized and funded.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-130, filed 11/23/99, effective 12/24/99.]

WAC 479-12-140 Eligible arterial improvement program projects. Eligible projects are:

(1) Improvements on federally classified arterials;

(2) Improvement involving state highway and transit when they are part of a joint project with eligible agencies;

(3) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;

(4) Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or

(5) Projects which have definite urban characteristics as defined by local comprehensive plans.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-140, filed 11/23/99, effective 12/24/99.]

WAC 479-12-150 Matching ratios for arterial improvement program projects. Urban arterial trust account funds for local agency arterial projects shall be matched in accordance with the following scheduled percentage of the total project cost.

City with a population less than 10,000 or a county with a population less than 70,000 - 10% match.

City with a population from 10,000 to 14,999 or a county with a population from 70,000 to 210,000 - 15% match.

City with a population from 15,000 and up or a county with a population over 210,000 - 20% match.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-150, filed 11/23/99, effective 12/24/99.]

WAC 479-12-200 Intent of the small city program. The intent of the small city program is to preserve and improve the roadway system in a manner that is consistent with local needs. An eligible agency is a city or town that has a population less than five thousand.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-200, filed 11/23/99, effective 12/24/99.]

WAC 479-12-210 Priority criteria for small city program projects. The board will use the following criteria to prioritize proposed small city account projects:

- (1) Structural ability to carry loads (pavement condition);
- (2) Roadway width;
- (3) Safety; and
- (4) Other factors: Criteria deemed appropriate by the board on a case-by-case basis.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-210, filed 11/23/99, effective 12/24/99.]

WAC 479-12-220 Establishing regions for small city program. For the purpose of apportioning urban arterial trust account funds to the small city program, the counties of the state are grouped within three regions as follows:

- (1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.
- (2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.
- (3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island,

Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-220, filed 11/23/99, effective 12/24/99.]

WAC 479-12-230 Apportionment of funds to small city program regions. Of the funds obligated to the small city program, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-230, filed 11/23/99, effective 12/24/99.]

WAC 479-12-240 Eligible small city program projects. Incorporated areas outside federal designated urban areas shall be required to identify their streets as either arterials or local access. An arterial shall be defined by at least one of the following standards:

- (1) Serves as the logical extension of a county arterial into the corporate boundary;
- or
- (2) Serves as a route connecting local (traffic) generators such as schools, medical facilities, social centers, recreational areas, commercial centers, or industrial sites within the corporate boundary; or
- (3) Acts as a bypass or truck route to relieve the central core area.

Streets failing to qualify under these standards for arterials are not eligible for small city account funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-240, filed 11/23/99, effective 12/24/99.]

WAC 479-12-250 Matching requirements for small city program projects. There will be no local agency matching requirements for

cities with a population of five hundred or less. Those agencies with a population over five hundred must provide a minimum local match of five percent.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-250, filed 11/23/99, effective 12/24/99.]

WAC 479-12-260 Increases in small city program projects. An increase in the amount of small city program funds for a project may be requested in accordance with the provisions of WAC [479-05-250](#), except, where in the board's judgment at project completion, ten percent of unexpected project costs would create an undue financial burden on the agency, the board may elect to fund all or a portion of the unexpected cost.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-260, filed 11/23/99, effective 12/24/99.]

WAC 479-12-300 Intent of the city hardship assistance program. RCW [47.26.164](#), provides that the transportation improvement board shall adopt reasonable rules necessary to implement the city hardship assistance program as recommended by the road jurisdiction study. An eligible project is an improvement on a section of roadway that meets the requirements of RCW [47.26.164](#) and the requirements specified in this chapter. A listing of the roadways eligible for city hardship assistance program funding is included in WAC [479-12-340](#).

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-300, filed 11/23/99, effective 12/24/99.]

WAC 479-12-310 Priority criteria for city hardship assistance program projects. The board will use the following criteria to prioritize proposed city hardship assistance program projects:

- (1) Structural ability to carry loads (pavement condition);
- (2) Deterioration rate for the roadway;

- (3) Safety; and
- (4) Other factors:
 - (a) Relationship to other local agency projects;
 - (b) Extent of previous participation in the program; and
 - (c) Other criteria deemed appropriate by the board on a case-by-case basis.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-310, filed 11/23/99, effective 12/24/99.]

WAC 479-12-340 Eligible city hardship assistance program agencies or streets. Agencies eligible for city hardship assistance program funds are:

(1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in RCW [47.26.164](#), which have a population of fifteen thousand or less may participate;

(2) The board is authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to RCW [47.26.164](#), that occur after January 1, 1991.

The following cities or towns are eligible for city hardship assistance program funding: Clarkston, Old SR 128, 0.13 Miles, SR 12 to Poplar Street; Kelso, Old SR 431, 0.90 Miles, SR 5 to Cowlitz Way; Kelso, Old I-5, 1.20 Miles, north end of Coweeman River Bridge to 2,480 feet south of Haussler Road and those sections of Kelso Drive, Minor Road, Grade Street and Kelso Avenue referred to in the memorandum of understanding for this turn back, approximately 2.7 miles; Leavenworth, Old SR 209, 0.11 Miles, SR 2 to 260 feet north of Fir Street; Milton, Old SR 514, 2.46 Miles, Junction SR 99 to 50 feet west of SR 161; Napavine, Old SR 603, 0.79 Miles, 810 feet southwest of Lincoln Street to 8th Avenue West; Pomeroy, Old SR 128, 0.72 Miles, SR 12 to 2,690 feet south of Arlington Avenue; Skykomish, Old SR 2 Spur, 0.16 Miles, SR 2 to Railroad Avenue; Stanwood, Old SR 530, 1.59 Miles, 790 feet north of 86th Drive NW to 740 feet

northwest of 72nd Avenue NW; Toledo, Old SR 505, 0.12 Miles, Fifth Street to 210 feet northwest of Sixth Street; Toppenish, Old SR 220, 0.27 Miles, Junction SR 22 to 630 feet east of Linden Road; Vader, Old SR 411, 0.25 Miles, 520 feet south of SR 506 to 1,840 feet south of SR 506; Washougal, Old SR 140, 0.70 Miles, SR 14 to west end of Washougal River Bridge; Winlock, Old SR 603, 0.61 Miles, Walnut Street to 160 feet south of Olequa Creek Bridge; and other cities under 20,000 population could become eligible for turn backs approved after January 1, 1991.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-340, filed 11/23/99, effective 12/24/99.]

WAC 479-12-350 Matching ratios for city hardship assistance program projects. There will be no local agency matching requirements for city hardship assistance program funded projects.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-350, filed 11/23/99, effective 12/24/99.]

WAC 479-12-360 Allowable city hardship assistance program activities. Unless otherwise approved by the board, city hardship assistance program funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project. City hardship assistance program funds cannot be used for landscaping. City hardship assistance program funds will not participate in the cost involved with adding lanes or turn lanes.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-360, filed 11/23/99, effective 12/24/99.]

WAC 479-12-370 City hardship assistance program participation with other funds. City hardship assistance program funds may be used to fund rehabilitation work associated with the widening of the section of roadway but

participation will be limited to the minimum standard or existing lane and shoulder widths. City hardship assistance program funds will be considered local agency funds if they are used in other board funded projects.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-370, filed 11/23/99, effective 12/24/99.]

WAC 479-12-400 Intent of pedestrian safety and mobility program. The intent of this program is to enhance and promote pedestrian safety and mobility as a viable transportation choice by providing funding for pedestrian projects that provide access and address system continuity and connectivity of pedestrian facilities.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-400, filed 11/23/99, effective 12/24/99.]

WAC 479-12-410 Priority criteria for pedestrian safety and mobility projects. The board will use the following criteria to prioritize proposed urban pedestrian safety and mobility projects:

- (1) Pedestrian safety;
- (2) Pedestrian movements;
- (3) Pedestrian convenience;
- (4) Neighborhood impact; and
- (5) Project cost.

The board will use the following criteria to prioritize proposed small city pedestrian safety and mobility projects:

- (a) Pedestrian safety;
- (b) Pedestrian movements;
- (c) Economic development; and
- (d) Funding partners.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-410, filed 11/23/99, effective 12/24/99.]

WAC 479-12-420 Establishing regions for the pedestrian safety and mobility program. For the purpose of apportioning urban arterial trust account funds to the pedestrian safety and mobility program, the

counties of the state are grouped within three regions as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-420, filed 11/23/99, effective 12/24/99.]

WAC 479-12-430 Apportionment of funds to pedestrian safety and mobility program regions. Of the funds obligated to pedestrian safety and mobility projects within urban areas, forty percent will be allocated to projects on a statewide basis and then, at least fifteen percent will be allocated to projects in the east region, at least fifteen percent to projects in the west region, and approximately thirty percent to projects in the Puget Sound region.

Of the funds obligated to pedestrian safety and mobility projects within small cities, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-430, filed 11/23/99, effective 12/24/99.]

WAC 479-12-440 Eligible pedestrian safety and mobility projects. Minimum project requirements are:

(1) An urban pedestrian safety and mobility project must be on a pedestrian route with linkages to a functionally classified route. Small city pedestrian safety and mobility projects must be on or related to a street on the board approved arterial system;

(2) Primary purpose of the project is transportation;

(3) Urban agency matching funds cannot be less than twenty-percent;

(4) For small city pedestrian safety and mobility project there will be no local agency matching requirements for cities with a population of five hundred or less. For those agencies with a population over five hundred, but less than five thousand, there will be a minimum local match requirement of five-percent;

(5) This program will not participate in the cost of right of way acquisition;

(6) Maximum board participation for a project is specified by the board;

(7) No increases are given on urban projects; and

(8) All projects must be completed within two years of board selection.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-12-440, filed 11/23/99, effective 12/24/99.]

Chapter 479-14 WAC SUBMISSION OF PROPOSED TRANSPORTATION IMPROVEMENT ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

WAC

[479-14-005](#)

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479-14-150	Designation of lead agency for transportation partnership program projects.
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479-14-170	Planning requirements for multiagency transportation partnership program projects.
479-14-180	Local/private matching funds on transportation partnership program projects.
479-14-190	Certification of local/private matching funds for transportation partnership program projects.

WAC 479-14-005 Purpose and authority. RCW [47.26.084](#) and [47.26.086](#) provides that the transportation improvement board shall adopt reasonable rules necessary to implement the transportation improvement account.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-005, filed 11/23/99, effective 12/24/99.]

WAC 479-14-008 Definitions. For purposes of implementing the requirements of RCW [47.26.185](#) relative to the transportation improvement account, the following definitions shall apply:

(1) TIA - Transportation Improvement Account.

(2) TPP - Transportation Partnership Program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-008, filed 11/23/99, effective 12/24/99.]

WAC 479-14-010 Programs funded from the transportation improvement

account. Funds from the transportation improvement account shall fund the transportation partnership program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-010, filed 11/23/99, effective 12/24/99.]

WAC 479-14-100 Intent of the transportation partnership program. The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our statewide transportation system needs. Eligible agencies are counties that have an urban area, all cities with a population of five thousand or more, and transportation benefit districts.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-100, filed 11/23/99, effective 12/24/99.]

WAC 479-14-110 Priority criteria for the transportation partnership program. The following criteria shall be utilized by the transportation improvement board to prioritize projects:

(1) The percentage of agency(ies) and private matching funds.

(2) Multimodal solutions for projects including, but not limited to, transit, high occupancy vehicle (HOV) lanes, ferry, high capacity transit/rail, or intermodal facility.

(3) Economic development is encouraged.

(4) Multiagency involvement in projects.

(5) Mobility enhancement by betterment of service level.

(6) Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.

(7) Other considerations demonstrating improvement of the local transportation system such as traffic demand management or local transportation funding.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-110, filed 11/23/99, effective 12/24/99.]

WAC 479-14-120 Establishing regions for transportation partnership program. For the purpose of apportioning TIA funds to the transportation partnership program, the counties of the state are grouped within three regions of the state as follows:

(1) East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

(2) Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.

(3) West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-120, filed 11/23/99, effective 12/24/99.]

WAC 479-14-130 Apportionment of funds to transportation partnership program regions. Of the funds in the program, forty percent will be allocated to projects on a statewide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and approximately thirty percent to projects in the Puget Sound region.

Regionally significant transportation projects submitted for funding by the TIB and approved by the legislature are exempt from the regional distribution formula.

[Statutory Authority: Chapter [47.26](#) RCW. 00-22-001, § 479-14-130, filed 10/19/00, effective 11/19/00. Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-130, filed 11/23/99, effective 12/24/99.]

WAC 479-14-140 Eligible transportation partnership program projects. Eligible projects are:

(1) Improvements on federally classified arterials;

(2) Improvement involving state highway and transit when they are part of a joint project with eligible agencies;

(3) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;

(4) Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or

(5) Projects which have definite urban characteristics as defined by local comprehensive plans.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-140, filed 11/23/99, effective 12/24/99.]

WAC 479-14-150 Designation of lead agency for transportation partnership program projects. The agencies involved in a multiagency transportation partnership program project shall designate one agency as the lead agency. The lead agency must be a city, county, or transportation benefit district.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-150, filed 11/23/99, effective 12/24/99.]

WAC 479-14-160 Verification of coordination with planning authority for transportation partnership program projects. All applications for transportation partnership program funding shall be consistent with the regional transportation plan. In areas of the state where there is no regional transportation planning authority, a letter of verification shall be signed by the chair of the lead agency legislative authority.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-160, filed 11/23/99, effective 12/24/99.]

WAC 479-14-170 Planning requirements for multiagency transportation partnership program projects. The board

requires joint planning for all transportation partnership program funded multiagency projects. The lead agency shall submit documentation to the board stating that the approving authority of each agency involved in the project has indicated support for the project. In the case of projects that stop at or near a corporate boundary or could affect other transportation agencies' facilities or programs, a copy of a letter requesting review by other affected agencies shall accompany the project application.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-170, filed 11/23/99, effective 12/24/99.]

WAC 479-14-180 Local/private matching funds on transportation partnership program projects. Transportation partnership program funds for urban program projects authorized by the board shall be matched by an amount not less than twenty percent of the total cost of the transportation project. Matching funds will be considered to be all contributions other than those provided by the board.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-180, filed 11/23/99, effective 12/24/99.]

WAC 479-14-190 Certification of local/private matching funds for transportation partnership program projects. Within one year after board approval of a prospectus for funding and before any transportation partnership program funds are committed to the project, each agency with an interest in the transportation partnership program project shall provide written certification to the board of the pledged percentage of local and/or private funding. Funds allocated to an applicant that does not certify funding within one year after approval may be reallocated by the board.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-14-190, filed 11/23/99, effective 12/24/99.]

Chapter 479-15 WAC SUBMISSION OF PROPOSED PUBLIC TRANSPORTATION SYSTEMS ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

WAC

[479-15-005](#)

Purpose and authority.

[479-15-008](#)

Definitions.

[479-15-010](#)

Programs funded from the public transportation systems account.

[479-15-100](#)

Intent of the public transportation systems program.

[479-15-110](#)

Priority criteria for public transportation systems program.

[479-15-120](#)

Establishing regions for public transportation systems program.

[479-15-130](#)

Apportionment of funds to public transportation systems program regions.

[479-15-140](#)

Eligible public transportation systems program projects.

WAC 479-15-005 Purpose and authority. RCW [47.66.010](#) provides that the transportation improvement board shall adopt reasonable rules necessary to implement the public transportation systems account.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-005, filed 11/23/99, effective 12/24/99.]

WAC 479-15-008 Definitions. For purposes of implementing the requirements of RCW [47.66.010](#) relative to the public transportation systems account, the following definitions shall apply:

(1) PTSA - Public Transportation Systems Account.

(2) PTSP - Public Transportation Systems Program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-008, filed 11/23/99, effective 12/24/99.]

WAC 479-15-010 Programs funded from the public transportation systems account. Funds from the public

transportation systems account shall fund the public transportation systems program.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-010, filed 11/23/99, effective 12/24/99.]

WAC 479-15-100 Intent of the public transportation systems program. The intent of the program is to ensure that viable multimodal programs are available throughout Washington state. All public transit agencies are eligible to apply for public transportation systems program funds.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-100, filed 11/23/99, effective 12/24/99.]

WAC 479-15-110 Priority criteria for public transportation systems program. The following criteria shall be utilized by the transportation improvement board to prioritize projects:

- (1) Multimodal solutions;
 - (2) Mobility enhancements;
 - (3) Customer satisfaction/safety/security;
 - (4) Financial;
 - (5) Economic development;
 - (6) Environmental responsive solutions;
- and
- (7) Innovative solutions.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-110, filed 11/23/99, effective 12/24/99.]

WAC 479-15-120 Establishing regions for public transportation systems program. For the purpose of apportioning public transportation systems funds to the public transportation systems program, the counties of the state are grouped within two regions of the state as follows:

The central Puget Sound region shall include eligible agencies within the counties of King, Kitsap, Pierce, and Snohomish.

The remaining region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Ferry,

Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Oreille, San Juan, Skagit, Skamania, Spokane, Stevens, Thurston, Walla Walla, Wahkiakum, Whatcom, Whitman, and Yakima.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-120, filed 11/23/99, effective 12/24/99.]

WAC 479-15-130 Apportionment of funds to public transportation systems program regions. Of the funds obligated to the public transportation systems program, the amount apportioned to projects in a region will be based on the revenue provided by RCW [82.44.150](#).

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-130, filed 11/23/99, effective 12/24/99.]

WAC 479-15-140 Eligible public transportation systems program projects. Projects eligible for funding from the public transportation systems program shall be limited to public transportation projects for:

- (1) Planning;
- (2) Development of capital projects;
- (3) Development of high capacity transportation systems as defined in RCW [81.104.015](#);
- (4) Development of high occupancy vehicle lanes and related facilities as defined in RCW [81.100.020](#);
- (5) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board; and
- (6) Commute trip reduction tax credits.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-15-140, filed 11/23/99, effective 12/24/99.]

Chapter 479-17 WAC STATEWIDE COMPETITIVE AND ENHANCEMENT PROGRAMS

WAC

[479-17-100](#)

Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, statewide competitive program account -- Eligibility.

[479-17-200](#)

Transportation Equity Act for the 21st Century or its successor acts, statewide competitive program account -- Criteria.

[479-17-300](#)

Transportation Equity Act for the 21st Century or its successor acts, enhancement program account -- Eligibility.

[479-17-400](#)

Transportation Equity Act for the 21st Century or its successor acts, enhancement program account -- Criteria.

WAC 479-17-100 Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, statewide competitive program account -- Eligibility. (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Planning;
- (b) Preliminary engineering;
- (c) Right of way acquisition;
- (d) Construction; and
- (e) Capital equipment acquisition.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

(4) All projects must be regionally significant.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-17-100, filed 11/23/99, effective 12/24/99.]

WAC 479-17-200 Transportation Equity Act for the 21st Century or its successor acts, statewide competitive program account -- Criteria. (1) Projects selected for

funding from the statewide competitive program account shall be consistent with the following criteria without regard to geographic distribution:

(a) Local, regional, and state transportation plans;

(b) Local transit development plans; and

(c) Local comprehensive land use plans.

(2) The following criteria shall be considered:

(a) Objectives of the Growth Management Act, the High Capacity Transportation Act, the Commute Trip Reduction Act, transportation demand management programs, federal and state air quality requirements, and federal Americans with Disabilities Act and related state accessibility requirements; and

(b) Energy efficiency issues, freight and goods movement, economic development, rural isolation, fish passage, flood mitigation, the leveraging of other funds including funds administered by the transportation improvement board, and safety and security issues.

(3) In addition to the criteria identified in subsections (1) and (2) of this section, the transportation improvement board may choose to identify additional criteria for program and project selection for the statewide competitive program. Such criteria shall be subject to public meetings as required by federal law, and shall be identified in the application guidelines.

(4) The transportation improvement board shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

(5) The transportation improvement board shall select projects for the statewide competitive program and forward the recommended list to the legislature, governor's office, and Washington state department of transportation by February 1st of each year.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-17-200, filed 11/23/99, effective 12/24/99.]

WAC 479-17-300 Transportation Equity Act for the 21st Century or its successor

acts, enhancement program account --

Eligibility. (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Provision of bicycle and pedestrian facilities;
- (b) Acquisition of scenic easement;
- (c) Scenic or historic highway programs (including tourist and welcome center facilities);
- (d) Landscaping and other scenic beautification;
- (e) Historic preservation;
- (f) Rehabilitation and operation of historic transportation buildings, structures or facilities;
- (g) Preservation of abandoned railway corridors;
- (h) Control and removal of outdoor advertising;
- (i) Archaeological planning and research;
- (j) Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;
- (k) Establishment of transportation museums.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-17-300, filed 11/23/99, effective 12/24/99.]

WAC 479-17-400 Transportation Equity Act for the 21st Century or its successor acts, enhancement program account --

Criteria. (1) Projects selected for funding from the enhancement program account shall be consistent with the following criteria:

- (a) Local, regional and state transportation plans;
 - (b) Local comprehensive land use plans.
- (2) The following procedure shall be considered:

(a) Project applications shall be reviewed and regionally prioritized by the regional transportation planning organizations or

metropolitan planning organizations and shall be forwarded to the transportation improvement board for selection.

(b) The Washington state department of transportation shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

(c) The transportation improvement board shall establish priorities to fund regionally significant projects by allocating twenty-five percent of the funds to projects on a statewide basis and the remaining funds based on population distribution to the regional transportation planning organizations or metropolitan planning organizations.

(d) The transportation improvement board shall select projects for the enhancement program and forward the recommended list to the legislature, governor's office and Washington state department of transportation by February 1st of each year.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-24-038](#), § 479-17-400, filed 11/23/99, effective 12/24/99.]

**Chapter 479-210 WAC
ROUTE JURISDICTION TRANSFER
RULES AND REGULATIONS**

WAC

479-210-010	Purpose and authority.
479-210-100	Definitions.
479-210-150	Criteria for rural highway routes.
479-210-200	Criteria for urban highway routes.
479-210-250	Interpretation and application of criteria to specific routes.
479-210-300	Administration costs.
479-210-350	Board review of route jurisdiction transfer requests.
479-210-400	Reports to legislative transportation committee.

WAC 479-210-010 Purpose and authority. Section 62, chapter 342, Laws of 1991, provides that the transportation

improvement board shall utilize the criteria established in RCW [47.17.001](#) in evaluating petitions and to adopt rules for implementation of the process, and being a multijurisdictional body, is directed to receive and review petitions from cities, counties, or the department of transportation requesting any addition or deletion from the state highway system.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-010, filed 11/19/91, effective 12/20/91.]

WAC 479-210-100 Definitions. For purposes of implementing the requirements of section 62, chapter 342, Laws of 1991, relative to the transportation improvement board, the following definitions shall apply:

(1) Board - When board is used in this chapter, it refers to the transportation improvement board.

(2) Connecting link - Connecting links should provide system continuity, including needed alternate routing of regionally oriented through-traffic or access to major regional-based public facilities or traffic generators. Generally, links bypass the central business district and/or the central city and form loops and beltways.

(3) Connection to places - Places may be considered connected if they are within approximately two miles of a state highway.

(4) Corridor - A corridor may vary depending on the characteristics of a region and the use of the facilities. The corridor limits used by the board to analyze a state highway route will be as described by the metropolitan planning organization (MPO) or regional transportation planning organization (RTPO) for the area where the route is located.

(5) Parallel highway route - Parallel route consideration is used to analyze alternative routes within the same corridor. Outside a corridor, a route should be considered a viable highway route if it meets the other criteria in this chapter.

(6) Population equivalency of one thousand or more - To determine the equivalent population of a recreation area,

refer to the WSDOT publication, "Guidelines for Amending Urban Boundaries, Functional Classifications, and Federal-Aid Systems."

(7) Rural highway route - A rural highway route is the portion of a route that lies outside a federal urban area boundary.

(8) Urban highway route - An urban highway route is the portion of a route that is within a federal urban area boundary.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-100, filed 11/19/91, effective 12/20/91.]

WAC 479-210-150 Criteria for rural highway routes. In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW [47.17.001](#). The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. The following criteria will be used to assess the merits of a proposed change to a rural route:

(1) A rural highway route should be designated as a state highway if it meets any of the following criteria:

(a) Is designated as part of the national system of interstate and defense highways (popularly called the interstate system); or

(b) Is designated as part of the system of numbered United States routes; or

(c) Contains an international border crossing that is open twelve or more hours each day.

(2) A rural highway route may be designated as a state highway if it is part of an integrated system of roads and:

(a) Carries in excess of three hundred thousand tons annually and provides primary access to a rural port or intermodal freight terminal;

(b) Provides a major cross-connection between existing state highways; or

(c) Connects places exhibiting one or more of the following characteristics:

(i) A population center of one thousand or greater;

(ii) An area or aggregation of areas having a population equivalency of one thousand or

more, such as, but not limited to recreation areas, military installations, and so forth;

- (iii) A county seat;
- (iv) A major commercial-industrial terminal in a rural area with a population equivalency of one thousand or greater.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-150, filed 11/19/91, effective 12/20/91.]

WAC 479-210-200 Criteria for urban highway routes. In considering whether to make additions, deletions, or other changes to the state highway system, the legislature is guided by criteria in RCW [47.17.001](#). The local agencies, department of transportation and the board will use these same criteria to assess the merits of any proposed changes to the state highway system. An urban highway route that meets any of the following criteria should be designated as part of the state highway system:

- (1) Is designated as part of the interstate system;
- (2) Is designated as part of the system of numbered United States routes;
- (3) Is an urban extension of a rural state highway into or through an urban area and is necessary to form an integrated system of state highways;
- (4) Is a principal arterial that is a connecting link between two state highways and serves regionally oriented through traffic in urbanized areas with a population of fifty thousand or greater, or is a spur that serves regionally oriented traffic in urbanized areas.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-200, filed 11/19/91, effective 12/20/91.]

WAC 479-210-250 Interpretation and application of criteria to specific routes. These guidelines are intended to be used as a basis for interpreting and applying the criteria to specific routes.

- (1) For any route wholly within one or more contiguous jurisdictions which would be proposed for transfer to the state highway system under these criteria, if local officials

prefer, responsibility will remain at the local level.

(2) State highway routes maintain continuity by being composed of routes that join other state routes at both ends or to arterial routes in the states of Oregon and Idaho and the province of British Columbia.

(3) Public facilities may be considered to be served if they are within approximately two miles of a state highway.

(4) Exceptions may be made to include:

(a) Rural spurs as state highways if they meet the criteria relative to serving population centers of 1,000 or greater population or activity centers with population equivalencies or an aggregated population of 1,000 or greater;

(b) Urban spurs as state highways that provide needed access to Washington state ferry terminals, state parks, major seaports, and trunk airports; and

(c) Urban connecting links as state highways that function as needed bypass routing of regionally oriented through traffic and benefit truck routing, capacity alternative, business congestion, and geometric deficiencies.

(5) In urban and urbanized areas:

(a) Unless they are significant regional traffic generators, public facilities such as state hospitals, state correction centers, state universities, ferry terminals, and military bases do not constitute a criteria for establishment of a state highway; and

(b) There may be no more than one parallel nonaccess controlled facility in the same corridor as a freeway or limited access facility as designated by the metropolitan planning organization.

(6) When there is a choice of two or more routes between population centers, the state route designation shall normally be based on the following considerations:

(a) The ability to handle higher traffic volumes;

(b) The higher ability to accommodate further development or expansion along the existing alignment;

(c) The most direct route and the lowest travel time;

(d) The route that serves traffic with the

most interstate, statewide, and interregional significance;

(e) The route that provides the optimal spacing between other state routes; and

(f) The route that best serves the comprehensive plan for community development in those areas where such a plan has been developed and adopted.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-250, filed 11/19/91, effective 12/20/91.]

WAC 479-210-300 Administration costs. The board costs for necessary staff services and facilities that are attributable to the route jurisdiction transfer program shall be paid from the urban arterial trust account in the motor vehicle fund.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-300, filed 11/19/91, effective 12/20/91.]

WAC 479-210-350 Board review of route jurisdiction transfer requests. The chairman will appoint a subcommittee that will review a route jurisdiction transfer request. The subcommittee should consist of at least two city, two county and one department of transportation board members.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-350, filed 11/19/91, effective 12/20/91.]

WAC 479-210-400 Reports to legislative transportation committee. In addition to the implementation report due August 1, 1991, the board shall forward to the legislative transportation committee by November 15 each year any recommended jurisdictional transfers.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-210-400, filed 11/19/91, effective 12/20/91.]

Chapter 479-216 WAC REQUIREMENTS FOR ROUTE JURISDICTION TRANSFER REQUESTS

WAC

[479-216-010](#)

Contents of request for jurisdiction transfer.

[479-216-050](#)

Annual cutoff date for jurisdiction transfer requests.

[479-216-100](#)

Additional public testimony for consideration of jurisdiction transfer requests.

[479-216-150](#)

Notice of solicitation for public testimony.

[479-216-200](#)

Notice of preliminary finding.

[479-216-250](#)

Comment period.

[479-216-300](#)

Notice of final finding.

[479-216-350](#)

Contents of report to legislative transportation committee.

WAC 479-216-010 Contents of request for jurisdiction transfer. The agency initiating a route jurisdiction transfer request shall do so using forms provided by the board and utilizing the criteria specified in RCW [47.17.001](#), and chapter [479-210](#) WAC. The request shall be signed by the agencies chief executive officer.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-010, filed 11/19/91, effective 12/20/91.]

WAC 479-216-050 Annual cutoff date for jurisdiction transfer requests. Prior to February 1, yearly, cities, counties or the department of transportation shall submit requests for jurisdiction transfer to the board using forms provided by the board. The request shall be in conformance with the procedures established in this chapter.

[Statutory Authority: Chapter [47.26](#) RCW. 95-04-072, § 479-216-050, filed 1/30/95, effective 3/2/95. Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-050, filed 11/19/91, effective 12/20/91.]

WAC 479-216-100 Additional public testimony for consideration of jurisdiction

transfer requests. At the discretion of the board, and in addition to a regularly scheduled board meeting, public testimony may be solicited relative to a specific jurisdiction transfer request. The board will record public testimony and develop summary minutes of the meeting.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-100, filed 11/19/91, effective 12/20/91.]

WAC 479-216-150 Notice of solicitation for public testimony. If public testimony is solicited, the board will provide written notice to each agency involved in the transfer, legislators whose districts are impacted by the proposed route transfer and any others who have specifically requested in writing to be provided notice.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-150, filed 11/19/91, effective 12/20/91.]

WAC 479-216-200 Notice of preliminary finding. The board shall prepare preliminary finding for all jurisdiction transfer requests and provide written notice to the interested parties indicated in WAC [479-216-150](#).

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-200, filed 11/19/91, effective 12/20/91.]

WAC 479-216-250 Comment period. For preliminary findings after January 1, 1992, the board will provide thirty calendar days from the date the notice is mailed for interested parties to provide written comments on the preliminary finding. The individuals giving comment must provide their name and address and the comments must address the criteria specified in RCW [47.17.001](#) and chapter [479-210](#) WAC.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-250, filed 11/19/91, effective 12/20/91.]

WAC 479-216-300 Notice of final finding. At the next scheduled board meeting after the comment period, the board will prepare a final finding and recommendation for submittal to the LTC. The board will give consideration to any comments or additional information and provide written notice of the final finding to the interested parties indicated in WAC [479-216-150](#).

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-300, filed 11/19/91, effective 12/20/91.]

WAC 479-216-350 Contents of report to legislative transportation committee. The contents of the report should include:

- (1) Name of agency submitting the request for transfer,
- (2) Route being considered for transfer,
- (3) A map,
- (4) Comparison against the criteria specified in RCW [47.17.001](#) and chapter [479-210](#) WAC,
- (5) Findings,
- (6) Board's recommendation, and
- (7) Supplemental information, such as:
 - (a) Summary minutes of meetings,
 - (b) Comments received,
 - (c) Board reply on the comments, and
 - (d) Other appropriate information.

[Statutory Authority: Chapter [47.26](#) RCW and 1991 c 342 §§ 60 and 62. 91-23-091, § 479-216-350, filed 11/19/91, effective 12/20/91.]

Chapter 479-510 WAC CENTRAL PUGET SOUND PUBLIC TRANSPORTATION ACCOUNT, PUBLIC TRANSPORTATION SYSTEMS ACCOUNT, AND SURFACE TRANSPORTATION PROGRAMS

**WAC
[479-510-450](#)**

Transportation Equity Act for the 21st Century or its successor acts, enhancement program account -- Eligibility.

[479-510-460](#) Transportation Equity Act for the 21st Century or its successor acts, enhancement program account -- Criteria.

WAC 479-510-450 Transportation Equity Act for the 21st Century or its successor acts, enhancement program account --

Eligibility. (1) Eligibility to apply shall be limited to public agencies.

(2) Programs and projects eligible for funding shall be limited to the following purposes:

- (a) Provision of bicycle and pedestrian facilities;
- (b) Acquisition of scenic easement;
- (c) Scenic or historic highway programs (including tourist and welcome center facilities);
- (d) Landscaping and other scenic beautification;
- (e) Historic preservation;
- (f) Rehabilitation and operation of historic transportation buildings, structures or facilities;
- (g) Preservation of abandoned railway corridors;
- (h) Control and removal of outdoor advertising;
- (i) Archaeological planning and research;
- (j) Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;
- (l) Establishment of transportation museums.

(3) Projects eligible for funding under the account shall be limited to applications that directly benefit Washington state.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-08-020](#), § 479-510-450, filed 3/29/99, effective 4/29/99.]

WAC 479-510-460 Transportation Equity Act for the 21st Century or its successor acts, enhancement program account --

Criteria. (1) Projects selected for funding from the enhancement program account shall be consistent with the following criteria:

- (a) Local, regional, and state

transportation plans;

- (b) Local comprehensive land use plans.

(2) The following procedures shall be considered:

(a) Project applications shall be reviewed and regionally prioritized by the regional transportation planning organizations or metropolitan planning organizations and shall be forwarded to the transportation improvement board for selection.

(b) The Washington state department of transportation shall prepare application forms and guidelines to assist eligible applicants and ensure their distribution to all eligible applicants no later than thirty days prior to the date on which the applications must be submitted.

(c) The transportation improvement board shall establish priorities to fund regionally significant projects by allocating 25% of the funds to projects on a statewide basis and the remaining funds based on population distribution to the regional transportation planning organizations or metropolitan planning organizations.

(d) The transportation improvement board shall select projects for the enhancement program and forward the recommended list to the legislature, governor's office and Washington state department of transportation on March 26, 1999 and by February 1st for each year thereafter.

[Statutory Authority: Chapters [47.26](#) and [47.66](#) RCW. [99-08-020](#), § 479-510-460, filed 3/29/99, effective 4/29/99.]

**Chapter 47.26 RCW
DEVELOPMENT IN URBAN AREAS --
URBAN ARTERIALS**

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NOTES:

Bicycle transportation management program: RCW 47.04.190.

Public-private transportation initiatives -- 1994 act: RCW 47.10.834 through 47.10.839.

RCW 47.26.010

Declaration of intent.

Due to unprecedented industrial development and population increases, the state of Washington is confronted with emergency needs for improvement of state highways, county roads, and city streets in urban areas. It is the intent of the legislature to provide sufficient new highway revenues to alleviate and prevent intolerable traffic congestion in urban areas without the disruption of the long range statewide highway program essential to the economic well-being of the people of this state.

[1967 ex.s. c 83 § 1.]

NOTES:

Reviser's note: Throughout chapter 47.26 RCW the term "this 1967 amendatory act" has been translated to "this chapter." This 1967 amendatory act [1967 ex.s. c 83] consists of chapter 47.26 RCW and RCW 35.77.010, 36.81.121, 46.16.040, 46.16.070, 46.16.111,

46.16.121, 46.16.125, 46.68.100, 46.68.150, 82.36.020, 82.36.100, 82.37.030, 82.37.190, 82.40.020, 82.40.290, and the repeal of RCW 46.16.072, 46.16.075, 46.16.110, and 46.16.120.

RCW 47.26.020

Motor vehicle fuel tax -- Tax imposed -- Rate -- Distribution of proceeds.

See RCW 82.36.020.

RCW 47.26.022

Motor vehicle fuel tax -- Tax required of nondistributors -- Duties -- Procedure -- Distribution of proceeds -- Penalties.

See RCW 82.36.100.

RCW 47.26.028

Special fuel tax -- Tax imposed -- Rate.

See RCW 82.38.030.

RCW 47.26.030

Special fuel tax -- Disposition of funds.

See RCW 82.38.290.

RCW 47.26.040

"Urban area" defined.

The term "urban area" as used in this chapter means every area of this state designated as an urban area by the department in cooperation with the board and regional transportation planning organizations.

[1994 c 179 § 7; 1984 c 7 § 153; 1977 ex.s. c 317 § 12; 1975 1st ex.s. c 253 § 1; 1967 ex.s. c 83 § 10.]

NOTES:

Severability -- 1984 c 7: See note following RCW 47.01.141.

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.044

"Board" defined.

The term "board" as used in this chapter means the transportation improvement board.

[1994 c 179 § 6.]

RCW 47.26.050

Regional grouping for purpose of apportioning urban state highway funds.

For the purpose of apportioning urban state highway funds, the urban areas of the state are grouped within five regions of the state as follows:

(1) Puget Sound region shall include those urban areas within the counties of King, Pierce and Snohomish.

(2) Northwest region shall include those urban areas within the counties of Clallam, Jefferson, Island, Kitsap, San Juan, Skagit and Whatcom.

(3) Northeast region shall include those urban areas within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens and Whitman.

(4) Southeast region shall include those urban areas within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla and Yakima.

(5) Southwest region shall include those urban areas within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston and Wahkiakum.

[1967 ex.s. c 83 § 11.]

RCW 47.26.080

Urban arterial trust account -- Withholding of funds for noncompliance.

There is hereby created in the motor vehicle fund the urban arterial trust account. The intent of the urban arterial trust account program is to improve the arterial street system of the state by improving mobility and safety while supporting an environment essential to the quality of life of the citizens of the state of Washington. The city hardship assistance program, as provided in RCW [47.26.164](#), and the small city program, as provided for in RCW [47.26.115](#), are

implemented within the urban arterial trust account.

The board shall not allocate funds, nor make payments of the funds under RCW [47.26.260](#), to any county, city, or town identified by the governor under RCW 36.70A.340.

[1999 c 94 § 16; 1994 c 179 § 8; 1991 sp.s. c 32 § 32; 1988 c 167 § 13; 1981 c 315 § 2; 1979 c 5 § 1; 1977 ex.s. c 317 § 22; 1967 ex.s. c 83 § 14.]

NOTES:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Section headings not law -- 1991 sp.s. c 32: See RCW 36.70A.902.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Effective date -- 1981 c 315: "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1981." [1981 c 315 § 14.]

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.084

Transportation improvement account -- Certification of funding.

The transportation improvement account is hereby created in the motor vehicle fund. The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our statewide transportation system needs.

Within one year after board approval of an application for funding, a county, city, or transportation benefit district shall provide written certification to the board of the pledged local and/or private funding. Funds allocated to an applicant that does not certify its funding

within one year after approval may be reallocated by the board.

[1999 c 94 § 17; 1994 c 179 § 10; 1988 c 167 § 2.]

NOTES:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.086

Transportation improvement account projects -- Intent -- Limitations.

Transportation improvement account projects selected for funding programs after fiscal year 1995 are governed by the requirements of this section.

The board shall allocate funds from the account by June 30th of each year for the ensuing fiscal year to urban counties, cities with a population of five thousand and over, and to transportation benefit districts. Projects may include, but are not limited to, multi-agency projects and arterial improvement projects in fast-growing areas. The board shall endeavor to provide geographical diversity in selecting improvement projects to be funded from the account.

The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our statewide transportation system needs.

To be eligible to receive these funds, a project must be consistent with the Growth Management Act, the Clean Air Act including conformity, and the Commute Trip Reduction Law and consideration must have been given to the project's relationship, both actual and potential, with the statewide rail passenger program and rapid mass transit. Projects must be consistent with any adopted high capacity transportation plan, must consider existing or reasonably foreseeable congestion levels attributable to economic development or

growth and all modes of transportation and safety, and must be partially funded by local government or private contributions, or a combination of such contributions. Priority consideration shall be given to those projects with the greatest percentage of local or private contribution, or both.

Within one year after board approval of an application for funding, the lead agency shall provide written certification to the board of the pledged local and private funding for the phase of the project approved. Funds allocated to an applicant that does not certify its funding within one year after approval may be reallocated by the board.

[1994 c 179 § 11.]

RCW 47.26.090
"Arterial" defined.

The term "arterial" as used in this chapter means any state highway, county road, or city street, in an urban area, that is functionally classified as a principal arterial, minor arterial, or collector street by the department in cooperation with the board, regional transportation planning organizations, cities, and counties. The board shall develop criteria and procedures for designating arterials in the incorporated cities and towns lying outside urban areas.

[1994 c 179 § 12; 1988 c 167 § 14. Prior: 1967 ex.s. c 83 § 15.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.100
"City" defined.

The term "city" as used in *this chapter shall include incorporated towns.

[1967 ex.s. c 83 § 16.]

NOTES:

***Reviser's note:** The term "this chapter" has been substituted for "this 1967 amendatory act." See note following RCW [47.26.010](#) for

codification of "this 1967 amendatory act" [1967 ex.s. c 83].

RCW 47.26.110
"Urban arterial" defined.

The term "urban arterial" as used in *this chapter means an arterial within an urban area.

[1967 ex.s. c 83 § 17.]

NOTES:

***Reviser's note:** The term "this chapter" has been substituted for "this 1967 amendatory act." See note following RCW [47.26.010](#) for codification of "this 1967 amendatory act." [1967 ex.s. c 83.]

RCW 47.26.115
Small city program.

The intent of the small city program is to preserve and improve the roadway system consistent with local needs of incorporated cities and towns with a population of less than five thousand. The board shall adopt rules and procedures to govern the allocation of funds distributed to the small city program.

[1999 c 94 § 18; 1994 c 179 § 9.]

NOTES:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

RCW 47.26.121
Transportation improvement board -- Membership -- Chair -- Expenses.

(1) There is hereby created a transportation improvement board of twenty-one members, six of whom shall be county members and six of whom shall be city members. The remaining members shall be: (a) One representative appointed by the governor who shall be a state employee with responsibility for transportation policy, planning, or funding; (b) two representatives from the department of transportation; (c) two representatives of public transit systems; (d) a private sector representative; (e) a member representing the ports; (f) a member representing nonmotorized

transportation; and (g) a member representing special needs transportation.

(2) Of the county members of the board, one shall be a county engineer or public works director; one shall be the executive director of the county road administration board; one shall be a county planning director or planning manager; one shall be a county executive, councilmember, or commissioner from a county with a population of one hundred twenty-five thousand or more; one shall be a county executive, councilmember, or commissioner of a county who serves on the board of a public transit system; and one shall be a county executive, councilmember, or commissioner from a county with a population of less than one hundred twenty-five thousand. All county members of the board, except the executive director of the county road administration board, shall be appointed. Not more than one county member of the board shall be from any one county. No more than two of the three county-elected officials may represent counties located in either the eastern or western part of the state as divided north and south by the summit of the Cascade mountains.

(3) Of the city members of the board one shall be a chief city engineer, public works director, or other city employee with responsibility for public works activities, of a city with a population of twenty thousand or more; one shall be a chief city engineer, public works director, or other city employee with responsibility for public works activities, of a city of less than twenty thousand population; one shall be a city planning director or planning manager; one shall be a mayor, commissioner, or city councilmember of a city with a population of twenty thousand or more; one shall be a mayor, commissioner, or city councilmember of a city who serves on the board of a public transit system; and one shall be a mayor, commissioner, or councilmember of a city of less than twenty thousand population. All of the city members shall be appointed. Not more than one city member of the board shall be from any one city. No more than two of the three city-elected officials may represent cities located in either the eastern or western part of the state

as divided north and south by the summit of the Cascade mountains.

(4) Of the transit members, at least one shall be a general manager, executive director, or transit director of a public transit system in an urban area with a population over two hundred thousand and at least one representative from a rural or small urban transit system in an area with a population less than two hundred thousand.

(5) The private sector member shall be a citizen with business, management, and transportation related experience and shall be active in a business community-based transportation organization.

(6) The port member shall be a commissioner or senior staff person of a public port.

(7) The nonmotorized transportation member shall be a citizen with a demonstrated interest and involvement with a nonmotorized transportation group.

(8) The specialized transportation member shall be a citizen with a demonstrated interest and involvement with a statewide specialized needs transportation group.

(9) Appointments of county, city, Washington department of transportation, transit, port, nonmotorized transportation, special needs transportation, and private sector representatives shall be made by the secretary of the department of transportation. Appointees shall be chosen from a list of two persons for each position nominated by the Washington state association of counties for county members, the association of Washington cities for city members, the Washington state transit association for the transit members, and the Washington public ports association for the port member. The private sector, nonmotorized transportation, and special needs members shall be sought through classified advertisements in selected newspapers collectively serving all urban areas of the state, and other appropriate means. Persons applying for the private sector,

nonmotorized transportation, or special needs transportation member position must provide a letter of interest and a resume to the secretary of the department of transportation. In the case of a vacancy, the appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred. A vacancy shall be deemed to have occurred on the board when any member elected to public office completes that term of office or is removed therefrom for any reason or when any member employed by a political subdivision terminates such employment for whatsoever reason or when a private sector, nonmotorized transportation, or special needs transportation member resigns or is unable or unwilling to serve.

(10) Appointments shall be for terms of four years. Terms of all appointed members shall expire on June 30th of even-numbered years. The initial term of appointed members may be for less than four years. No appointed member may serve more than two consecutive four-year terms.

(11) The board shall elect a chair from among its members for a two-year term.

(12) Expenses of the board shall be paid in accordance with RCW [47.26.140](#).

(13) For purposes of this section, "public transit system" means a city-owned transit system, county transportation authority, metropolitan municipal corporation, public transportation benefit area, or regional transit authority.

[1996 c 49 § 1; 1995 c 269 § 2603; 1994 c 179 § 13; 1993 c 172 § 1. Prior: 1991 c 363 § 124; 1991 c 308 § 1; 1990 c 266 § 4; 1988 c 167 § 1.]

NOTES:

Effective date -- 1995 c 269: See note following RCW 9.94A.850.

Part headings not law -- Severability -- 1995 c 269: See notes following RCW 13.40.005.

Effective date -- 1993 c 172: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1993." [1993 c 172 § 2.]

Purpose -- Captions not law -- 1991 c 363: See notes following RCW 2.32.180.

Effective date -- 1991 c 308: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991." [1991 c 308 § 2.]

References to urban arterial board -- 1988 c 167: "References in the Revised Code of Washington to the urban arterial board shall be construed to mean the transportation improvement board." [1988 c 167 § 35.]

Savings -- 1988 c 167: "All rules and all pending business before the urban arterial board shall be continued and acted upon by the transportation improvement board. All existing contracts and obligations of the urban arterial board shall remain in full force and shall be performed by the transportation improvement board." [1988 c 167 § 36.]

Severability -- 1988 c 167: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1988 c 167 § 37.]

RCW 47.26.130

Transportation improvement board -- Travel expenses.

Members of the transportation improvement board shall receive no compensation for their services on the board, but shall be reimbursed for travel expenses incurred while attending meetings of the board or while engaged on other business of the board when authorized by the board in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

[1988 c 167 § 15; 1975-'76 2nd ex.s. c 34 § 139; 1975 1st ex.s. c 1 § 2; 1969 ex.s. c 171 § 2; 1967 ex.s. c 83 § 19.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Effective date -- Severability -- 1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 47.26.140

Transportation improvement board -- Executive director, staff -- Finances.

The transportation improvement board shall appoint an executive director, who shall serve at its pleasure and whose salary shall be set by the board, and may employ additional staff as it deems appropriate. All costs associated with staff, together with travel expenses in accordance with RCW 43.03.050 and 43.03.060, shall be paid from the urban arterial trust account, public transportation systems account, and the transportation improvement account in the motor vehicle fund as determined by the biennial appropriation.

[1999 c 94 § 19; 1996 c 49 § 2; 1995 c 269 § 2605; 1994 c 179 § 14; 1988 c 167 § 16; 1977 ex.s. c 151 § 58; 1975-'76 2nd ex.s. c 34 § 140; 1969 ex.s. c 171 § 3; 1967 ex.s. c 83 § 20.]

NOTES:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Effective date -- 1995 c 269: See note following RCW 9.94A.850.

Part headings not law -- Severability -- 1995 c 269: See notes following RCW 13.40.005.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Effective date -- Severability -- 1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 47.26.150

Transportation improvement board -- Meetings.

The transportation improvement board shall meet at least once quarterly and upon the call of its chairman and shall from time to time adopt rules and regulations for its own government and as may be necessary for it to discharge its duties and exercise its powers under this chapter.

[1988 c 167 § 17. Prior: 1967 ex.s. c 83 § 21.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.160

Transportation improvement board -- Powers and duties.

The transportation improvement board shall:

(1) Adopt rules necessary to implement the provisions of chapter 47.66 RCW and this chapter relating to the allocation of funds;

(2) Adopt reasonably uniform design standards for city and county arterials.

[1995 c 269 § 2607; 1994 c 179 § 15; 1988 c 167 § 18; 1987 c 505 § 51; 1984 c 7 § 155; 1977 ex.s. c 235 § 17; 1971 ex.s. c 291 § 1; 1967 ex.s. c 83 § 22.]

NOTES:

Effective date -- 1995 c 269: See note following RCW 9.94A.850.

Part headings not law -- Severability -- 1995 c 269: See notes following RCW 13.40.005.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- 1984 c 7: See note following RCW 47.01.141.

RCW 47.26.164

City hardship assistance program -- Implementation.

The board shall adopt reasonable rules necessary

to implement the city hardship assistance program as recommended by the road jurisdiction study.

The following criteria shall be used to implement the program:

(1) Only those cities with a net gain in cost responsibility due to jurisdictional transfers in chapter 342, Laws of 1991, as determined by the board, may participate;

(2) Cities with populations of fifteen thousand or less, as determined by the office of financial management, may participate;

(3) The board shall develop criteria and procedures under which eligible cities may request funding for rehabilitation projects on city streets acquired under chapter 342, Laws of 1991; and

(4) The board shall also be authorized to allocate funds from the city hardship assistance program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to chapter 342, Laws of 1991, that occur after January 1, 1991.

[1999 c 94 § 20; 1991 c 342 § 60.]

NOTES:

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Effective dates -- 1991 c 342: See note following RCW [47.26.167](#).

RCW 47.26.165

Coordination of long-range needs studies.

See RCW 47.01.240.

RCW 47.26.167

Jurisdictional transfers.

The legislature recognizes the need for a multijurisdictional body to review future requests for jurisdictional transfers. The board is hereby directed, beginning September 1, 1991,

to receive petitions from cities, counties, or the state requesting any addition or deletion from the state highway system. The board is required to utilize the criteria established in RCW 47.17.001 in evaluating petitions and to adopt rules for implementation of this process. The board shall forward to the legislative transportation committee by November 15 each year any recommended jurisdictional transfers.

[1991 c 342 § 62.]

NOTES:

Effective dates -- 1991 c 342: "(1) Sections 62 and 63 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1991.

(2) The remainder of this act shall take effect April 1, 1992." [1991 c 342 § 68.]

RCW 47.26.170

Long-range arterial construction planning -- Arterial inventory data.

Each county having within its boundaries an urban area and cities and towns shall prepare and submit to the transportation improvement board arterial inventory data required to determine the long-range arterial construction needs. The counties, cities, and towns shall revise the arterial inventory data every four years to show the current arterial construction needs through the advanced planning period, and as revised shall submit them to the transportation improvement board during the first week of January every four years beginning in 1996. The inventory data shall be prepared pursuant to guidelines established by the transportation improvement board. As information is updated, it shall be made available to the commission and the legislative transportation committee.

[1994 c 179 § 16; 1988 c 167 § 19; 1984 c 7 § 156; 1971 ex.s. c 291 § 2; 1967 ex.s. c 83 § 23.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- 1984 c 7: See note following RCW 47.01.141.

RCW 47.26.185

Qualifications for administering and supervising projects -- Rules.

The transportation improvement board may adopt rules establishing qualifications for cities and counties administering and supervising the design and construction of projects financed in part from funds administered by the board. The rules establishing qualification shall take into account the resources and population of the city or county, its permanent engineering staff, its design and construction supervision experience, and other factors the board deems appropriate. Any city or county failing to meet the qualifications established by the board for administering and supervising a project shall contract with a qualified city or county or the department for the administration and supervision of the design and construction of any approved project as a condition for receiving funds for the project.

[1994 c 179 § 17; 1988 c 167 § 21; 1984 c 7 § 157; 1975 1st ex.s. c 253 § 4.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- 1984 c 7: See note following RCW 47.01.141.

RCW 47.26.190

Geographical diversity -- Rules.

The board shall adopt rules that provide geographical diversity in selecting improvement projects to be funded from the urban arterial trust account and *small city account funds.

[1994 c 179 § 18; 1988 c 167 § 22; 1987 c 360 § 1; 1981 c 315 § 4; 1979 c 151 § 162; 1977 ex.s. c 317 § 14; 1973 1st ex.s. c 126 § 2; 1971 ex.s. c 291 § 3; 1969 ex.s. c 171 § 4; 1967 ex.s. c 83 § 25.]

NOTES:

***Reviser's note:** The "small city account" was renamed the "small city program" pursuant to 1999 c 94 § 18.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

Population determinations, office of financial management: Chapter 43.62 RCW.

RCW 47.26.200

Counties -- Perpetual advanced six-year plans for coordinated transportation program, expenditures -- Nonmotorized transportation -- Railroad right-of-way.

See RCW 36.81.121.

RCW 47.26.210

Cities -- Perpetual advanced six-year plans for coordinated transportation program, expenditures -- Nonmotorized transportation -- Railroad right-of-way.

See RCW 35.77.010.

RCW 47.26.260

Payment of funds -- Rules -- Limitations.

The transportation improvement board shall adopt rules providing for the approval of payments of funds in the accounts to a county, city, town, or transportation benefit district for costs of predesign, design, engineering, and costs of construction of an approved project from time to time as work progresses. These payments shall at no time exceed the account share of the costs incurred to the date of the voucher covering such payment.

[1994 c 179 § 19; 1988 c 167 § 26; 1973 1st ex.s. c 126 § 1; 1967 ex.s. c 83 § 32.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.270

Matching funds requirements.

Counties, cities, towns, and transportation benefit districts receiving funds from the board shall provide such matching funds as established by rules adopted by the transportation improvement board. When determining matching requirements, the board shall consider (1) financial resources available to counties and cities to meet arterial needs, (2) the amounts and percentages of funds available for road or street construction traditionally expended by counties and cities on arterials, (3) in the case of counties, the relative needs of arterials lying outside urban areas, and (4) the requirements necessary to avoid diversion of funds traditionally expended for arterial construction to other street or road purposes or to nonhighway purposes.

[1994 c 179 § 20; 1988 c 167 § 27; 1983 1st ex.s. c 49 § 22; 1977 ex.s. c 317 § 16; 1967 ex.s. c 83 § 33.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- Effective date -- 1983 1st ex.s. c 49: See RCW 36.79.900 and 36.79.901.

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.282

Land use implications.

In any project funded by the transportation improvement board, except for projects in cities having a population of less than five thousand persons, and in addition to any other items required to be considered by statute, the board also shall consider the land use implications of the project, such as whether the programs and projects:

(1) Support development in and revitalization of existing downtowns;

(2) Implement local comprehensive plans for rural and urban residential and nonresidential densities;

(3) Have land use planning and regulations encouraging compact development for rural and

urban residential and nonresidential densities; and

(4) Promote the use of multimodal transportation.

[2002 c 189 § 5.]

RCW 47.26.300

Bicycle routes -- Legislative declaration.

The state of Washington is confronted with emergency shortages of energy sources utilized for the transportation of its citizens and must seek alternative methods of providing public mobility.

Bicycles are suitable for many transportation purposes, and are pollution-free in addition to using a minimal amount of resources and energy. However, the increased use of bicycles for both transportation and recreation has led to an increase in both fatal and nonfatal injuries to bicyclists.

The legislature therefore finds that the establishment, improvement, and upgrading of bicycle routes is necessary to promote public mobility, conserve energy, and provide for the safety of the bicycling and motoring public.

[1974 ex.s. c 141 § 1.]

RCW 47.26.305

Bicycle routes -- Use of board funds.

Bicycle routes shall, when established in accordance with RCW 47.06.100 be eligible for establishment, improvement, and upgrading with board funds. The board shall adopt rules and procedures that will encourage the development of a system of bicycle routes within counties, cities, and towns.

[1994 c 179 § 21; 1988 c 167 § 28; 1974 ex.s. c 141 § 2.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.320**Advance right-of-way acquisition --****Definition.**

The term "advance right-of-way acquisition" as used in this chapter means the acquisition of property and property rights, together with the engineering costs necessary for the advance right-of-way acquisition. Property or property rights purchased must be for projects approved by the transportation improvement board or the county road administration board as part of a city or county six-year plan or program.

[2001 c 201 § 1.]

RCW 47.26.325**Advance right-of-way acquisition --****Revolving fund.**

The city and county advance right-of-way revolving fund is created in the custody of the treasurer. The transportation improvement board is the administrator of the fund and may deposit directly and spend without appropriation.

The transportation improvement board and the county road administration board, in consultation with the association of Washington cities and the Washington association of counties, shall adopt reasonable rules and develop policies to implement this program.

[2001 c 201 § 2.]

RCW 47.26.330**Advance right-of-way acquisition --****Management of properties and funds.**

(1) After any properties or property rights are acquired through funds in the city and county advance right-of-way revolving fund, the acquiring city or county is responsible for the management of the properties in accordance with sound business practices and shall provide annual status reports to the board. Funds received by the city or county from the interim management of the properties must be deposited into the city and county advance right-of-way revolving fund.

(2) When the city or county proceeds with the construction of an arterial project that will

require the use of any of the property so acquired, the city or county shall reimburse the city and county advance right-of-way revolving fund. Reimbursement must reflect the original cost of the acquired property or property rights required for the project plus an interest rate as determined annually by the board. The board shall report on the interest rate set to the transportation committees through its annual report.

(3) When the city or county determines that any properties or property rights acquired from funds in the city and county advance right-of-way revolving fund will not be required for an arterial construction project or the property has been held by the city or county for more than six years, the city or county shall either sell the property at fair market value or reimburse the fund at fair market value. All proceeds of the sale must be deposited in the city and county advance right-of-way revolving fund. At the board's discretion, a portion of savings on transportation improvement board projects realized through the use of the city and county advance [right-of-way] revolving fund may be deposited back into the city and county advance right-of-way revolving fund.

(4) Deposits in the fund may be reexpended without further or additional appropriations.

[2001 c 201 § 3.]

BOND ISSUE -- STATE HIGHWAYS IN URBAN AREAS**RCW 47.26.400****Issuance and sale of general obligation bonds -- Authorized -- Amount -- Declaration of purpose.**

In order to provide funds necessary to meet the urgent needs for highway construction on state highways within urban areas, there shall be issued and sold general obligation bonds of the state of Washington in the sum of two hundred million dollars or such amount thereof and at such times as determined to be necessary by the commission. The amount of the bonds issued and sold under the provisions of RCW

[47.26.400](#) through [47.26.407](#) in any biennium shall not exceed the amount of a specific appropriation therefor from the proceeds of such bonds, for the construction of state highways in urban areas. The issuance, sale, and retirement of the bonds shall be under the supervision and control of the state finance committee which, upon request being made by the commission, shall provide for the issuance, sale, and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the commission.

[1984 c 7 § 161; 1973 1st ex.s. c 169 § 1; 1967 ex.s. c 83 § 36.]

NOTES:

Severability -- 1984 c 7: See note following RCW 47.01.141.

RCW 47.26.401

Bonds -- Term -- Terms and conditions -- Signatures -- Registration -- Where payable -- Negotiable instruments.

Each of such bonds shall be made payable at any time not exceeding thirty years from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state treasurer under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

[1973 1st ex.s. c 169 § 2; 1967 ex.s. c 83 § 37.]

RCW 47.26.402

Bonds -- Denominations -- Manner and terms of sale -- Legal investment for state funds.

The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If the bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW [47.26.400](#) through [47.26.407](#) shall be legal investment for any of the funds of the state, except the permanent school fund.

[1967 ex.s. c 83 § 38.]

RCW 47.26.403

Bonds -- Bond proceeds -- Deposit and use.

The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of state highways within the urban areas of the state, and for payment of the expenses incurred in the printing, issuance, and sale of any such bonds.

[1967 ex.s. c 83 § 39.]

RCW 47.26.404

Bonds -- Statement describing nature of obligation -- Pledge of excise taxes.

Bonds issued under the provisions of RCW [47.26.400](#) through [47.26.407](#) shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal of and interest on such bonds shall be first payable in the manner provided in RCW [47.26.400](#) through [47.26.407](#) from the proceeds of state excise taxes on motor vehicle fuels imposed by chapter 82.36 RCW

and *chapter 82.40 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW [47.26.400](#) through [47.26.407](#), and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the provisions of RCW [47.26.400](#) through [47.26.407](#).

[1973 1st ex.s. c 169 § 3; 1967 ex.s. c 83 § 40.]

NOTES:

***Reviser's note:** Chapter 82.40 RCW was repealed by 1971 ex.s. c 175 § 33; for later enactment see chapter 82.38 RCW.

RCW 47.26.405

Bonds -- Designation of funds to repay bonds and interest.

Any funds required to repay such bonds, or the interest thereon when due shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state under the provisions of RCW 46.68.090(1)(c) for construction of state highways in urban areas, and shall never constitute a charge against any allocations of any other such funds to the state, counties, cities, and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle and special fuels and available to the state for construction of state highways in urban areas proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

[1999 c 269 § 5; 1977 ex.s. c 317 § 17; 1967 ex.s. c 83 § 41.]

NOTES:

Effective date -- 1999 c 269: See note following RCW 36.78.070.

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.406

Bonds -- Repayment procedure -- Bond retirement fund.

At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any such bonds, the state finance committee shall estimate, subject to the provisions of RCW [47.26.405](#), the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which shall be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the bond retirement fund, hereby created, which fund shall be available solely for payment of interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

[1967 ex.s. c 83 § 42.]

RCW 47.26.407

Bonds -- Sums in excess of retirement requirements -- Use.

Whenever the percentage of the motor vehicle fund arising from excise taxes on motor vehicle fuels payable into the bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

[1967 ex.s. c 83 § 43.]

**BOND ISSUE -- COUNTY AND CITY
ARTERIALS
IN URBAN AREAS**

RCW 47.26.420

**Issuance and sale of general obligation bonds
-- Authorized -- Amount -- Declaration of
purpose.**

In order to provide funds necessary to meet the urgent construction needs on county and city arterials within urban areas, there are hereby authorized for issuance general obligation bonds of the state of Washington, the first authorization of which shall be in the sum of two hundred million dollars, and the second authorization of which, to be known as series II bonds, shall be in the sum of sixty million dollars, and the third authorization of which, to be known as series III bonds, shall be in the sum of one hundred million dollars which shall be issued and sold in such amounts and at such times as determined to be necessary by the state transportation commission. The amount of such bonds issued and sold under the provisions of RCW [47.26.420](#) through [47.26.427](#) in any biennium shall not exceed the amount of a specific appropriation therefor, from the proceeds of such bonds, for the construction of county and city arterials in urban areas. The issuance, sale, and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made by the state transportation commission, shall provide for the issuance, sale, and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the state transportation commission.

[1981 c 315 § 5; 1979 c 5 § 3. Prior: 1977 ex.s. c 317 § 18; 1973 1st ex.s. c 169 § 4; 1967 ex.s. c 83 § 45.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Appropriation -- Expenditure limited to bond sale proceeds -- 1981 c 315: "There is appropriated from the urban arterial trust account in the motor vehicle fund to the urban

arterial board for the biennium ending June 30, 1983, the sum of thirty-five million dollars, or so much thereof as may be necessary, to carry out section 5 of this act: PROVIDED, That the money available for expenditure under this appropriation may not exceed the amount of money derived from the sale of bonds authorized by section 5 of this act and deposited to the credit of the urban arterial trust account in the motor vehicle fund." [1981 c 315 § 13.] Section 5 of this act is RCW [47.26.420](#).

Construction -- 1979 c 5: "Nothing in this 1979 act shall be construed to impair the obligations of any first authorization bonds issued or to be issued under RCW [47.26.420](#) through [47.26.427](#), or to enlarge the original authorization thereof over two hundred million dollars, and the retirement of and issuance of the remainder of the authorized amount of such bonds shall proceed in accordance with law under the supervision of the state finance committee." [1979 c 5 § 12.]

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.421

**Bonds -- Term -- Terms and conditions --
Signatures -- Registration -- Where payable --
Negotiable instruments.**

Each of such first authorization bonds, series II bonds, and series III bonds shall be made payable at any time not exceeding thirty years from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state treasurer under the seal of the state, either or both of which signatures may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in Seattle or New York City, as to principal alone, or as to both principal and interest under such

regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

[1986 c 290 § 3; 1981 c 315 § 6; 1979 c 5 § 4; 1973 1st ex.s. c 169 § 5; 1967 ex.s. c 83 § 46.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.422

Bonds -- Denominations -- Manner and terms of sale -- Legal investment for state funds.

The first authorization bonds, series II bonds, and series III bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. The state finance committee may obtain insurance, letters of credit, or other credit facility devices with respect to the bonds and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of the bonds. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal of or interest on the bonds with respect to which the promissory notes or other obligations relate. The state finance committee may authorize the issuance of short-term obligations in lieu of long-term obligations for the purposes of more favorable interest rates, lower total interest costs, and increased marketability and for the purpose of retiring the bonds during the life of the project for which they were issued. Bonds issued under the provisions of RCW [47.26.420](#) through

[47.26.427](#) and [47.26.425](#) shall be legal investment for any of the funds of the state, except the permanent school fund.

[1986 c 290 § 4; 1981 c 315 § 7; 1979 c 5 § 5; 1967 ex.s. c 83 § 47.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.423

Bonds -- Bond proceeds -- Deposit and use.

The money arising from the sale of the first authorization bonds, series II bonds, and series III bonds shall be deposited in the state treasury to the credit of the urban arterial trust account in the motor vehicle fund, and such money shall be available only for the construction and improvement of county and city urban arterials, and for payment of the expense incurred in the printing, issuance, and sale of any such bonds. The costs of obtaining insurance, letters of credit, or other credit enhancement devices with respect to the bonds shall be considered to be expenses incurred in the issuance and sale of the bonds.

[1986 c 290 § 5; 1981 c 315 § 8; 1979 c 5 § 6; 1967 ex.s. c 83 § 48.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.424

Bonds -- Statement describing nature of obligation -- Pledge of excise taxes.

The first authorization bonds, series II bonds, and series III bonds shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal

thereof and the interest thereon, and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal and interest on such bonds shall be first payable in the manner provided in RCW [47.26.420](#) through [47.26.427](#), [47.26.425](#), and [47.26.4254](#) from the proceeds of state excise taxes on motor vehicle and special fuels imposed by chapters 82.36 and 82.38 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any such bonds and the interest thereon, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle and special fuels in amounts sufficient to pay, when due, the principal and interest on all such bonds.

[1995 c 274 § 11; 1981 c 315 § 9; 1979 c 5 § 7; 1977 ex.s. c 317 § 19; 1973 1st ex.s. c 169 § 6; 1967 ex.s. c 83 § 49.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.425

Bonds -- Designation of funds to repay bonds and interest.

Any funds required to repay the first authorization of two hundred million dollars of bonds authorized by RCW [47.26.420](#), as amended by section 18, chapter 317, Laws of 1977 ex. sess. or the interest thereon when due, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the urban arterial trust account in the motor vehicle fund pursuant to RCW 46.68.090(1)(g), and shall never constitute a charge against any allocations of any other such funds in the motor vehicle fund to the state, counties, cities, and towns unless and until the amount of the motor vehicle fund arising from the excise tax on motor

vehicle and special fuels and distributed to the urban arterial trust account proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

[1999 sp.s. c 1 § 609. Prior: 1999 c 269 § 6; 1999 c 94 § 21; 1994 c 179 § 22; 1977 ex.s. c 317 § 20; 1967 ex.s. c 83 § 50.]

NOTES:

Severability -- Effective date -- 1999 sp.s. c 1: See notes following RCW 43.19.1906.

Effective date -- 1999 c 269: See note following RCW 36.78.070.

Legislative finding -- Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Effective dates -- Severability -- 1977 ex.s. c 317: See notes following RCW 82.36.010.

RCW 47.26.4252

Bonds -- Series II bonds, 1979 reenactment -- Designation of funds to repay bonds and interest.

Any funds required to repay the authorization of series II bonds authorized by RCW [47.26.420](#), as reenacted by section 3, chapter 5, Laws of 1979, or the interest thereon when due, shall first be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36 and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund pursuant to RCW 46.68.090(1)(g), subject, however, to the prior lien of the first authorization of bonds authorized by RCW [47.26.420](#), as reenacted by section 3, chapter 5, Laws of 1979. If the moneys distributed to the urban arterial trust account shall ever be insufficient to repay the first authorization bonds together with interest thereon, and the series II bonds or the interest thereon when due, the amount required to make such payments on such bonds or interest thereon shall next be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state,

counties, cities, and towns pursuant to RCW 46.68.090. Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues which are distributable to the state, counties, cities, and towns, shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds or series II and series III bonds or interest on those bond issues.

[1999 sp.s. c 1 § 610. Prior: 1999 c 269 § 7; 1999 c 94 § 22; 1995 c 274 § 12; 1994 c 179 § 23; 1983 1st ex.s. c 49 § 23; 1979 c 5 § 8.]

NOTES:

Severability -- Effective date -- 1999 sp.s. c 1: See notes following RCW 43.19.1906.

Effective date -- 1999 c 269: See note following RCW 36.78.070.

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Severability -- Effective date -- 1983 1st ex.s. c 49: See RCW 36.79.900 and 36.79.901.

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.4254

Bonds -- Series III bonds -- Designation of funds to repay bonds and interest.

(1) Any funds required to repay series III bonds authorized by RCW [47.26.420](#), or the interest thereon, when due shall first be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36 and 82.38 RCW and that is distributed to the urban arterial trust account in the motor vehicle fund pursuant to RCW 46.68.090(1)(g), subject, however, to the prior lien of the first authorization of bonds authorized by RCW [47.26.420](#). If the moneys so distributed to the urban arterial trust account, after first being applied to administrative expenses of the transportation improvement board and to the requirements of bond retirement and payment of

interest on first authorization bonds and series II bonds as provided in RCW [47.26.425](#) and [47.26.4252](#), are insufficient to meet the requirements for bond retirement or interest on any series III bonds, the amount required to make such payments on series III bonds or interest thereon shall next be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels and that is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.090, subject, however, to subsection (2) of this section.

(2) To the extent that moneys so distributed to the urban arterial trust account are insufficient to meet the requirements for bond retirement or interest on any series III bonds, sixty percent of the amount required to make such payments when due shall first be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels and that is distributed to the state. The remaining forty percent shall first be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels and that is distributed to the cities and towns pursuant to RCW 46.68.090(1)(i) and to the counties pursuant to RCW 46.68.090(1)(j). Of the counties', cities', and towns' share of any additional amounts required in each fiscal year, the percentage thereof to be taken from the counties' distributive share and from the cities' and towns' distributive share shall correspond to the percentage of funds authorized for specific county projects and for specific city and town projects, respectively, from the proceeds of series III bonds, for the period through the first eleven months of the prior fiscal year as determined by the chairman of the transportation improvement board and reported to the state finance committee and the state treasurer not later than the first working day of June.

(3) Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues that are distributable to the state, counties, cities, and towns shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the

first authorization bonds, series II bonds, or series III bonds or interest on these bonds.

[1999 sp.s. c 1 § 611. Prior: 1999 c 269 § 8; 1999 c 94 § 23; 1995 c 274 § 13; 1994 c 179 § 24; 1988 c 167 § 30; 1983 1st ex.s. c 49 § 24; 1981 c 315 § 10.]

NOTES:

Severability -- Effective date -- 1999 sp.s. c 1: See notes following RCW 43.19.1906.

Effective date -- 1999 c 269: See note following RCW 36.78.070.

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- Effective date -- 1983 1st ex.s. c 49: See RCW 36.79.900 and 36.79.901.

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

RCW 47.26.4255

Bonds -- Series II bonds, 1979 reenactment -- Charge against fuel tax revenues.

Except as otherwise provided by statute, the series II bonds issued under authority of RCW [47.26.420](#), as reenacted by section 3, chapter 5, Laws of 1979, the bonds authorized by RCW 47.60.560 through 47.60.640, and any general obligation bonds of the state of Washington which may be authorized by the forty-sixth legislature or thereafter and which pledge motor vehicle and special fuel excise taxes for the payment of principal and interest thereon shall be an equal charge against the revenues from such motor vehicle and special fuel excise taxes.

[1979 c 5 § 9.]

NOTES:

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.426

Bonds -- Repayment procedure -- Bond

retirement account.

At least one year prior to the date any interest is due and payable on such first authorization bonds, series II bonds, and series III bonds or before the maturity date of any such bonds, the state finance committee shall estimate, subject to the provisions of RCW [47.26.425](#), [47.26.4252](#), and [47.26.4254](#) the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle and special fuels, for each month of the year which shall be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer, subject to RCW [47.26.425](#), [47.26.4252](#), and [47.26.4254](#), shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle and special fuels of the motor vehicle fund to the transportation improvement board bond retirement account, maintained in the office of the state treasurer, which fund shall be available for payment of interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

[1999 c 268 § 1; 1981 c 315 § 11; 1979 c 5 § 10; 1967 ex.s. c 83 § 51.]

NOTES:

Effective date -- 1981 c 315: See note following RCW [47.26.080](#).

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.427

Bonds -- Sums in excess of retirement requirements -- Use.

Whenever the percentage of the motor vehicle fund arising from excise taxes on motor vehicle and special fuels payable into the transportation

improvement board bond retirement account, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund [account] to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

[1999 c 268 § 2; 1979 c 5 § 11; 1967 ex.s. c 83 § 52.]

NOTES:

Construction -- 1979 c 5: See note following RCW [47.26.420](#).

RCW 47.26.440

Budget for expenditures from funds administered by board -- Estimate of revenues.

Not later than November 1st of each even-numbered year the transportation improvement board shall prepare and present to the commission for comment and recommendation an adopted budget for expenditures from funds administered by the board during the ensuing biennium. The budget shall contain an estimate of the revenues to be credited to the several accounts and the amount, if any, of bond proceeds which the board determines should be made available through the sale of bonds in the ensuing biennium.

[1994 c 179 § 25; 1988 c 167 § 32; 1984 c 7 § 163; 1967 ex.s. c 83 § 54.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

Severability -- 1984 c 7: See note following RCW 47.01.141.

RCW 47.26.450

Allocation of funds -- Value engineering studies -- Rules.

The board shall adopt rules and procedures to govern the allocation of funds subject to the

appropriations actually approved by the legislature.

The board shall develop rules and procedures to require value engineering studies performed by an interagency team for certain board funded projects. When determining the process, the board shall consider the project cost, length, and complexity.

[1994 c 179 § 26; 1988 c 167 § 33; 1987 c 360 § 2; 1973 1st ex.s. c 126 § 3; 1969 ex.s. c 171 § 6.]

NOTES:

Savings -- Severability -- 1988 c 167: See notes following RCW [47.26.121](#).

RCW 47.26.460

Increase in funds allocated to a project -- Rules -- Factors.

The board shall adopt reasonable rules pursuant to which funds allocated to a project may be increased upon a subsequent application of the county, city, town, or transportation benefit district constructing the project. The rules adopted by the board shall consider the following factors: (1) The financial effect of increasing the original allocation for the project upon other urban arterial projects either approved or requested; (2) whether the project for which an additional authorization is requested can be reduced in scope while retaining a usable segment; (3) whether the cost of the project shown in the original application was based upon reasonable engineering estimates; and (4) whether the requested additional authorization is to pay for an expansion in the scope of work originally approved.

[1994 c 179 § 27; 1969 ex.s. c 171 § 7.]

BOND ISSUE -- TRANSPORTATION PROJECTS IN URBAN AREAS

RCW 47.26.500

Issuance authorized.

In order to provide funds necessary to meet the urgent construction needs on state, county, and city transportation projects, there are hereby

authorized for issuance general obligation bonds of the state of Washington in the sum of one hundred million dollars, which shall be issued and sold in such amounts and at such times as determined to be necessary by the state transportation improvement board. The amount of such bonds issued and sold under the provisions of RCW [47.26.500](#) through [47.26.507](#) in any biennium shall not exceed the amount of a specific appropriation therefor, from the proceeds of such bonds, for the construction of state, county, and city transportation projects. The issuance, sale, and retirement of the bonds shall be under the supervision and control of the state finance committee which, upon request being made by the board, shall provide for the issuance, sale, and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the board.

[2000 2nd sp.s. c 6 § 1; 1994 c 179 § 28; 1993 c 440 § 1.]

RCW 47.26.501

Term -- Signatures -- Registration -- Negotiable instruments.

Each of such bonds shall be made payable at any time not exceeding thirty years from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state treasurer under the seal of the state, either or both of which signatures may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in Seattle or New York City, as to principal alone, or as to both principal and interest under such rules as the state treasurer may adopt. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

[1993 c 440 § 2.]

RCW 47.26.502

Denominations -- Manner and terms of sale -- State investment.

The bonds issued under RCW [47.26.500](#) through [47.26.507](#) shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. The state finance committee may obtain insurance, letters of credit, or other credit facility devices with respect to the bonds and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of the bonds. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal of or interest on the bonds with respect to which the promissory notes or other obligations relate. The state finance committee may authorize the issuance of short-term obligations in lieu of long-term obligations for the purposes of more favorable interest rates, lower total interest costs, and increased marketability and for the purpose of retiring the bonds during the life of the project for which they were issued. Bonds issued under the provisions of RCW [47.26.500](#) through [47.26.507](#) shall be legal investment for any of the funds of the state, except the permanent school fund.

[1993 c 440 § 3.]

RCW 47.26.503

Use of proceeds.

The money arising from the sale of the bonds shall be deposited in the state treasury to the credit of the transportation improvement account in the motor vehicle fund, and such money shall be available only for the construction and improvement of state, county, and city transportation projects, and for payment of the expense incurred in the printing, issuance, and sale of any such bonds. The costs of obtaining insurance, letters of credit, or other credit enhancement devices with respect to the bonds

shall be considered to be expenses incurred in the issuance and sale of the bonds.

[1993 c 440 § 4.]

RCW 47.26.504

Statement of obligation -- Pledge of excise taxes.

Bonds issued under the provisions of RCW [47.26.500](#) through [47.26.507](#) shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal and interest on such bonds shall be first payable in the manner provided in RCW [47.26.500](#) through [47.26.507](#) from the proceeds of state excise taxes on motor vehicle and special fuels imposed by chapters 82.36 and 82.38 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any such bonds and the interest thereon, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle and special fuels in amounts sufficient to pay, when due, the principal and interest on all such bonds.

[1995 c 274 § 14; 1993 c 440 § 5.]

RCW 47.26.505

Funds for repayment.

Any funds required to repay such bonds, or the interest thereon when due, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the transportation improvement account in the motor vehicle fund under RCW 46.68.090(1)(h), and shall never constitute a charge against any allocations of any other such funds in the motor vehicle fund to the state, counties, cities, and towns unless and until the amount of the motor vehicle fund arising from the excise tax on motor vehicle and special fuels and distributed to the transportation improvement account proves insufficient to meet

the requirements for bond retirement or interest on any such bonds.

[1999 sp.s. c 1 § 612. Prior: 1999 c 269 § 9; 1999 c 94 § 24; 1994 c 179 § 29; 1993 c 440 § 6.]

NOTES:

Severability -- Effective date -- 1999 sp.s. c 1: See notes following RCW 43.19.1906.

Effective date -- 1999 c 269: See note following RCW 36.78.070.

Legislative finding--Effective dates -- 1999 c 94: See notes following RCW 43.84.092.

RCW 47.26.506

Repayment procedure -- Bond retirement account.

At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any such bonds, the state finance committee shall estimate, subject to the provisions of RCW [47.26.505](#) the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle and special fuels, for each month of the year which shall be required to meet interest or bond payments under RCW [47.26.500](#) through [47.26.507](#) when due, and shall notify the state treasurer of such estimated requirement. The state treasurer, subject to RCW [47.26.505](#), shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle and special fuels of the motor vehicle fund to the transportation improvement board bond retirement account, maintained in the office of the state treasurer, which account shall be available for payment of principal and interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

[1997 c 456 § 24; 1993 c 440 § 7.]

NOTES:

Severability -- 1997 c 456: See RCW 43.99L.900.

Effective date -- 1997 c 456 §§ 9-43: See RCW 43.99M.901.

RCW 47.26.507

Sums in excess of retirement requirements -- Use.

Whenever the percentage of the motor vehicle fund arising from excise taxes on motor vehicle and special fuels payable into the transportation improvement board bond retirement account, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund [account] to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

[1999 c 268 § 3; 1993 c 440 § 8.]

RCW 47.26.900

Severability -- 1967 ex.s. c 83.

If any provision of this 1967 amendatory act or the application thereof to any person, firm, or corporation or circumstance is held invalid, in whole or in part, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provisions or application and to this end the provisions of this 1967 amendatory act are declared to be severable.

[1967 ex.s. c 83 § 55.]

RCW 47.26.910

Effective dates -- 1967 ex.s. c 83.

This 1967 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and sections 1 through 55 and section 56, renumbered "Sec. 62", shall take effect on the

first day of the month following the approval of this act by the governor; sections 56 through 61 shall take effect on July 1, 1967 with respect to fees paid on or after July 1, 1967. Fees paid pursuant to RCW 46.16.070, 46.16.072, 46.16.075 or 46.16.120 prior to July 1, 1967 shall not be affected by this act.

[1967 ex.s. c 83 § 62.]

RCW 47.26.930

Construction -- 1969 ex.s. c 171.

The rule of strict construction shall have no application to this 1969 act or to the provisions of chapter 47.26 RCW, and they shall be liberally construed in order to carry out an effective, efficient and equitable program of financial assistance to urban area cities and counties for arterial roads and streets.

[1969 ex.s. c 171 § 8.]